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JOURNALS OF THE HOUSE OF REPRESENTATIVES OF MASSACHUSETTS

VOLUME I

Committee of Publication

HENRY CABOT LODGE

WILLIAM BRADFORD HOMER DOWSE

WORTHINGTON CHAUNCEY FORD

Massachusetts (Colony) General Court. House of Representatives.

JOURNALS

of the House of Representatives of Massachusetts

1715-1717

Published at the Charge of the Dowse Fund

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Introduction

A COPY of the printed Journals of the House of Representatives of his Majesty's Province of the Massachusetts-Bay in New England for the session which began at Boston on May 25, 1715, was given to Samuel Sewall by the printer, Bartholomew Green, on July 12, three weeks after the Governor had in angry mood prorogued that body. Stung by a slighting comment passed by Governor Dudley on their proceedings, the members of the House determined to print the full Journal of the session, as the best defence of themselves. Thus began a practice of printing the Journals of the House which was continued in an almost unbroken series till the Revolutionary War. The convenience of having the record in such a form would alone have justified the publication; as time passed, the political advantages were also recognized, and the long controversies arising between the Governor and the House, or between the Council and the House, led to many papers, worthy to be called state papers, being spread upon the pages of the Journals. Such publications were intended more for the constituents of the House than for any effect they could produce upon those immediately engaged in the controversies; and, in the absence of an active press, the political questions received their discussion in messages, addresses, declarations, or the more formal proclamations — the most final of all expressions of opinion.

The beginnings of this publication were small and uncertain. The clerk of the House was directed to prepare a copy of the Journal, and the representatives of Boston were desired to take care that the printing was seasonably done.[1] The question of cost does not appear to have been considered at this time; but the expediency of continuing to print was at once recognized, and in the second session of this General Court measures were taken to learn the cost, and provide for the future regular appearance of the votes or minutes during the session. On July 30, 1715, the representatives of the Town of Boston were again desired to take the care of printing the Journals of the session, and to "Treat with a Printer about the Terms upon which they may be Printed here-after." [2] Bartholomew Green was at this time printer to the Governor and Council, and appears to have been the only printer who submitted an estimate. He offered to print the Votes of the House "and all the other Printing directed by the Government, for the space of Seven Years next coming; and to furnish each Member of this Court, with a Copy of the said Votes, free of charge, on each *Tuesday*, *Thursday* and *Saturday*, of the several Sessions, during that Term, upon his being Allowed *Thirty Pounds per Annum* for his Service." [3] This offer was accepted by the House, and the concurrence of the Council was desired, but not given. The session came to an end while the matter was before the Council, and so the care of the printing of the

[1] *Infra*, page 45. [2] *Infra*, page 65. [3] *Infra*, page 70.

Journal fell upon the representatives of Boston, "upon the foot of the Agreement with Mr. *Green* the Printer." [1]

Thus for three sessions the House of Representatives took upon itself the printing of its votes and minutes, without any encouragement from the Governor and Council. The fourth and last session began on November 23, and continued until December 22, but the Journal was not printed, as the following entry in the proceedings in the House on June 27, 1716, proves: "An Accompt of Bartholomew Green, for Printing the Journal of this House, in their Sessions begun in May, July and August, the last Year, and finding Paper, Folding and Stitching them, Amounting to the Sum of *l.*22 17*s.* 6*d.* Presented to the House for Payment" — and allowed. Had the Journal of the November session been printed, it would have been mentioned with the others.

It is to be noticed that in each case the entire session was printed as one piece, and without title-pages. The form adopted was modelled after that of the printed laws, and had been used by the Governor and Council when they issued resolves of the General Court. One such resolve has been found in the Boston Athenæum.[2] It is the only issue in that form known, and might easily be mistaken for a page from the printed Journals, although no Journals were printed until 1715.

The practice, thus begun, was continued in the House of 1716–17, and on the day of proroguing the first session it ordered the printing of the Journal under the direction of the representatives of Boston.[3] The inconvenience of delay in printing and distributing the Journal at the end of the session, and the advantage of having the record of proceedings at hand during the session, led the House to order that "the Votes of this House be Printed Twice a Week." [4] This accounts for the form and divisions of the sheets and for the comparative rarity of the issues. In no one library of New England can a full set be found, and even that in the office of the Secretary of the Commonwealth of Massachusetts is far from complete.

The present publication is made possible by a fund given to the Massachusetts Historical Society by a member, Mr. William Bradford Homer Dowse, of Sherborn. As the intention is to reprint the original volumes errors of type and printing have been followed; a proper correction in names of persons and places will be found in the index. As the first volume of the Journals contained no list of the members of the House for 1715 one has been taken from the *Boston News-Letter*.

WORTHINGTON CHAUNCEY FORD

Boston, December, 1919.

[1] *Infra*, page 74.
[2] It was reproduced as the frontispiece to a reprint of the Journals of 1715, made in 1902.
[3] *Infra*, page 123. [4] *Ib.*, 184.

Members of House, 1715-1716

"The Boston News-Letter" for the week from Monday, May 23, to Monday, May 30, 1715, contains a list of the Members of the House of Representatives. The asterisk indicates a new member.

Boston,	Col. Adam Winthrop
	Capt. Oliver Noyes
	*Mr. William Payne
	*Mr. Elisha Cook
Roxbury,	Mr. William Denison
Dorchester,	Mr. Hopestil Clap
Hingham,	Samuel Thaxter Esq;
Brantree,	*Mr. Joseph Allein [Allen]
Dedham,	*Mr. John Fuller
Medfield,	*Capt. John Boydon
Weymouth,	Capt. Stephen French
Milton,	Mr. Ephraim Tucker
Wrentham,	Mr. John Guile [Guild]
Mendon,	Mr. Samuel Thaer [Thayer]
Brooklin,	——
Woodstock,	*Mr. Samuel Payne
Needham,	
Salem,	*Daniel Epps Esq;
	Capt. Peter Osgood
Ipswich,	Mr. John Appleton
	Mr. Nath. Knowlton
Newbury,	*Mr. William Moodey
Lynn,	John Burril Esq; Speaker
Marblehead,	Mr. James Cawley
Andover,	*Capt. Benjamin Stevens
Beverley,	Mr. Samuel Balch
Rowley,	*Mr. Ezekiel Northen
Salisbury,	*Capt. Joseph Eaton
Haverhill,	*Capt. John White
Glocester,	*John Newman
Topsfield,	Mr. Tobijah Perkins
Boxford,	Mr. Joseph Hale
Wenham,	*Capt. Thomas Fiske
Amesbury,	*Mr. John Foot
Bradford,	*Mr. John Hutchins
Charlestown,	*Capt. Ch. Chambers
Watertown,	Mr. Samuel Sternes
Cambridge,	Mr. Jonat Remington
Concord,	*Mr. William Wilson
Woburn,	*Capt. Josiah Converse
Reading,	Mr. Timothy Wily
Sudbury,	*Mr. Edmund Rice
Marlborough,	Mr. Thomas Rice
Newton,	Mr. John Ward
Maldon,	Mr. John Greenland
Chelmsford,	Mr. Stephen Pierce
Billerica,	Lieut. John Sternes
Sherburn,	*Capt. Joseph Morse
Groton,	*Mr. Thomas Tarbal
Lancaster,	*Mr. John Houghton
Framingham,	Maj. Jos Buckminster
Medford,	*Capt. Peter Tufts
Lexington,	*Mr. Francis Bowman
Weston,	Capt. Francis Fulham
Stow,	*Mr. John Buttrick
Springfield,	*Luke Hitchcock Esq;
Northampton,	Joseph Parsons, Esq;
Hadley,	Mr. Daniel Marsh
Hatfield,	Mr. John Partridge
Suffield,	*Mr. Atherton Mather
Westfield,	Mr. John Ashley
Enfield,	——
Plymouth,	James Warren Esq;
Situate,	Mr. Samuel Clap
Bridgewater,	*Mr. Edward Fobes
Marshfield,	Capt. Isaac Little
Duxbury,	Seth Arnold Esq;
Rochester,	*Mr. John Randel
Pembrook,	Capt. Thomas Barker
Barnstable,	*Mr. Joseph Lothrop

Eastham,	*Mr. Samuel Mayo	Tiverton,	*Mr. Wm Manchester
Sandwich,	*Mr. John Chipman	Attleborough,	*Mr. David Freeman
Yarmouth,	*Mr. Joseph Hall	Dighton,	Mr. Benjamin Jones
Harwich,	*Mr. Gershom Hall	Norton,	*George Leonard, Esq;
Truro,	*Mr. Constant Freeman	York,	*Abraham Prebble Esq;
Middleborow	*Mr. John Bennet	Kittery,	*Mr. Joseph Hammond
Bristol,	[Capt.] Simon Davis Esq;	Wells,	——
Taunton,	*Capt. Henry Hodges	Berwick,	*Mr. Elisha Plaisted
Dartmouth,	Mr. Jonathan Delano	Edgar-Town,	Major Benj. Skiffe
Rehoboth,	Mr. Moses Read	Tisbury,	——
Little Comp.	Capt. W. Southworth	Chilmark,	——
Swanzey,	Mr. John Rogers	Nantucket,	James Coffin Esq;

JOURNALS
of the
House of Representatives
of Massachusetts
1715-1717

Anno Regni Regis GEORGII nunc Magnæ Britanniæ, &c. Primo.

JOURNAL

Of the House of Representatives.

At a Great and General Court or Assembly of His Majesty's Province of the Massachusetts-Bay in New-England, begun & held at Boston, upon Wednesday the 25th Day of May, Anno Domini, 1715.

S*Amuel Sewall*, *John Phillips*, and *Joseph Lynde* Esqrs. came down from the Council Board, and Acquainted the House that they were Appointed and Authorized by His Excellency the Governour, That this House should take the Oaths, Make and Subscribe the Declaration, Take and Subscribe the Oath of Abjuration (as by the Royal Charter of this Province is Directed) before them, which was accordingly done by the Members present, and They withdrew.

The House Proceeded to write their Votes for a Speaker, which being Collected, and Examined, it was found that *John Burrill* Esq; was chosen by a major part of the House, and he was accordingly Conducted to the Chair.

The House Proceeded to write their Votes for a Clerk, which being Collected and Examined, it appear'd that Mr. *John White* was chosen by a major part of the House, who was accordingly sent for to the House.

Post Meridiem.

A Message sent up to the Council Board, by Capt. *Davis*, and Mr. *Cawley*, to report to His Excellency the Choice the House had made of a Speaker.

Who Returned, That His Excellency was not in Council, but by Sickness Confin'd at home.

Major *Skeffe*, and Mr. *Chipman*, were sent to Wait on His Excellency at His House at *Roxbury*, to Report to His Excellency, the Choice of the Speaker.

Who Returned, That His Excellency said, the Choice is very acceptable to him.

A Message sent up to the Board, by Mr. *Samuel Clap*, and Capt. *Davis*, That the House are now ready to proceed to the choice of Councellors.

Who Return'd, That the Board were ready to Proceed, and Join with the House in the Choice.

Ordered, That Mr. *Epps*, Capt. *Noyes*, Col. *Winthrop*, Col. *Thaxter*, and Mr.

Denison, be a Committee to carry up the Votes of this House for Councellors, and assist in Sorting and Numbering them, together with the Votes of the Board, and Report to the House, the several Elections that shall be made.

The said Committee carried up the Votes of the House, for Councellors in the late Colony of the *Massachusetts-Bay* until Eighteen were chosen by a major part of the Voters.

Then for the late Colony of *New-Plymouth*, until Four were chosen, as aforesaid.

Then for the late Province of *Maine*, until Three were chosen, as aforesaid. [2]

Then for the Territory between *Sagadehoc* and *Nova Scotia*, until One was chosen, as aforesaid.

And lastly, for Persons dwelling in any Part of the Province, until Two were chosen, as aforesaid.

And the said Committee Reported the choice to be as follows, *viz.*

Of the Inhabitants, or Proprietors of Lands in the Territory formerly called the *Massachusetts-Bay*.

The Hon. *William Tailer* Esq; *Wait Winthrop* Esq;
Elisha Cooke Esq; *Elisha Hutchinson* Esq;
Samuel Sewall Esq; *John Appleton* Esq;
John Higginson Esq; *Andrew Belcher* Esq;
Edward Bromfield Esq; *Nathaniel Norden* Esq;
Benjamin Lynde Esq; *John Clark* Esq;
Addington Davenport Esq; *Thomas Hutchinson* Esq;
Samuel Brown Esq; *John Pinchon* Esq;
Thomas Oliver Esq; *Thomas Fitch* Esq;

Of the Inhabitants or Proprietors of Lands within the Territory formerly called *New-Plymouth*, viz.

Nathaniel Paine Esq; *Isaac Winslow* Esq;
John Cushing Esq; *John Otis* Esq;

Of the Inhabitants or Proprietors of Lands within the Territory formerly called the Province of *Maine*, viz.

Eliakim Hutchinson Esq; *Ichabod Plaisted* Esq;
John Wheelwright Esq;

Of the Inhabitants or Proprietors of Lands lying within the Territory between *Sagadehoc* and *Nova Scotia*, viz.

Joseph Lynde Esq;

Of the Inhabitants or Proprietors of Lands in any Part of the Province.

Nathaniel Byfield Esq; *Edmund Quinsey* Esq;

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Jovis 26 Maii 1715.

Ordered, That Col. *Thaxter*, Col. *Winthrop*, Capt. *Noyes*, Capt. *Osgood*, and Capt. *Davis*, Wait on His Excellency the Governour, with the above-written List of the Councellors, or Assistants, newly chosen for the Year ensuing, for His Excellency's Approbation of the Persons, therein Named, to be given in Writing under his Hand.

And inquire of His Excellency's Health.

The House Proceeded to Examine the Returns of the Precepts, made from the several Towns, of the choice of their Representatives.

Which being Passed through,

The usual Orders of the House were Read: And

Ordered, To be the Orders, of the House during the Sessions thereof.

Ordered, That Mr. *John Sternes*, Mr. *Reed*, and Capt. *Arnold*, be Monitors of the House to take care that the Orders thereof are duely observed. [3]

Ordered, That Mr. Speaker, Mr. *Denison*, and Mr. *Cawley*, Give the Thanks of this House to the Reverend Mr. *Jeremiah Shepard* for the Sermon Preach'd at their Desire, before this Court in a Publick Assembly Yesterday, being the Anniversary Day of Election of Councellors: And that they Desire him to give a Copy thereof to be Printed.

Post Meridiem.

An Accompt of *William Paine* Joyner, of the charge of Wainscotting, one half of the Chamber of the House of Representatives, and making of Seats therein, amounting to the Sum of 40 *l.* 16 *s* 8 *d.* Presented to the House for Allowance.

Read and

Resolved, That the Sum of *Forty Pounds Sixteen Shillings* and *Eight Pence* be Allowed and Paid out of the Publick Treasury, to *William Paine*, the Accomptant to Discharge his Accompt.

Sent up for Concurrence.

An Accompt of *Edward Pell* Painter, for Painting half of the Representatives Chamber, amounting to the Sum of 5 *l.* & 2 *s.* offer'd to the House for Payment.

Read and

Resolved, That the Sum of *Five Pounds* and *Two Shillings*, be Allowed & Paid out of the Publick Treasury to *Edward Pell*, the Accomptant to Discharge his Accompt.

Sent up for Concurrence.

The List of Councellors sent to His Excellency the Governour this Morning: was Return'd to the House again, by the Members who carried it, His Excellency having Entred thereon as follows: *viz.*

I Consent to this Election of Councellors, except *Nathaniel Byfield* Esq;

Given under My Hand, J. DUDLEY.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Veneris 27 Maii 1715.

Ordered, That Capt. *Noyes*, Col. *Thaxter*, Mr. *Parsons*, Mr. *Denison*, and Capt. *Fullam*, be a Committee for Petitions to Examine the Matters and Allegations thereof, and report the same with their Opinion thereon to the House.

A Petition of *John Brigham*, *Hopestill Brown*, and Twenty-nine others, Presented to the House and Read, Praying, That the Land lying between the Towns of *Marlborough*, *Lancaster*, *Worcester* and *Hassanameesit*, may be granted to them, and made a Township.

Ordered, That the Petition be Rejected all the Names affixed thereto, except one being written by the same hand.

A Petition of *Francis Fullam* and *Daniel Livermore*, both of *Weston*, Presented to the House and Read, Praying this Court to give them leave to Purchase a piece of Land, containing about Six Hundred Acres, Lying on the Easterly side of the Town of *Oxford*, of the Indian Owner thereof, called *Mallalawing David*, for Reasons therein expressed.

Ordered, That the said Petition be committed to the Committee for Petitions.

Ordered, That Capt. *Noyes*, Mr. *Cooke*, and Col. *Thaxter*, be a Committee to prepare the Draught of a Vote, to bring forward, the Running of the Line between this Province and the Colony of *Rhode-Island*, pursuant to the Agreement of the Commissioners of the Two Governments for that end.

A Petition of *John Small-piece* of *Boston*, who was very much wounded, by a Blast of Gunpowder, in the Burning of the Impost-Office, the last Winter, when he was attempting to save what he could therein; Presented to the House and Read, Praying some Allowance towards his Cure and Subsistence.

In answer to the said Petition. [4]

Resolved, That the Sum of *Twenty Pounds* be Allowed and Paid out of the Publick Treasury to *John Small-piece* the Petitioner, towards his Relief.

Sent up for Concurrence.

Andrew Belcher and *Addington Davenport* Esqrs. brought down a Letter from His Excellency the Governour, dated yesterday at *Roxbury*, and directed to the Gentlemen of the Council and Representatives: Intimating that he is under such Bodily Illness, that he is unable at present to Attend the Court, but would have the Court Proceed in the Business that lies before them.

And a Letter from Mr. Agent *Dummer*, dated at *Whitehall*, *Decemb.* 4th last, Directed to Mr. Secretary *Addington*, for the General Assembly: Which were Read.

Mr. *Edward Hutchinson*, having Represented to this House, That he with Mr. *John Watts*, have now more than Ten Families, gone and ready to go, to *Arowsick* Island, to make a Settlement there.

Voted, That His Excellency the Governour be requested, now to order a Serjeant with Nineteen Sentinels, from *Casco Fort*, to Defend and Assist their Settlement, agreeable to the Vote of this Court in *October* last: The said Undertakers having likewise represented that convenient Barracks will be ready for their reception, by the time they can remove thither.

Sent up for Concurrence.

A Report of the Committee, appointed by this Court, the 20th of last *October*, to Run the Line, between the Town of *Groton*, and the Plantation of *Nashoba*, offer'd to the House, and was Read accordingly.

Resolved, That the Report be Accepted.

Sent up for Concurrence.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Sabbeti 28 die Mai 1715.

CApt. *Noyce* from the Committee for Petitions, made Report to the House on the Petition of *Francis Fullam*, and *Daniel Livermore*, the prayer whereof was entred yesterday: That the Committee were of Opinion that the prayer of the Petition be granted.

Resolved, That the prayer of the Petitioners be granted; Provided the Land be no Part of Land appropriated by the Government, and the Quantity exceeds not Seven Hundred Acres. Sent up for Concurrence.

Ordered, That Col. *Adam Winthrop*, Mr. *William Paine*, Mr. *Elisha Cooke*, Mr. *Abraham Prebble*, Mr. *James Cawley*, and *Luke Hitchcock* Esq; be a Committee to joyn with such as the Honourable Board shall Nominate, to Prepare the Draught of a humble Address and Memorial to His Majesty, humbly to Represent, and lay before His Majesty, the present State of this Province.

Sent up for Concurrence.

A Report of the Committee for Setling of the Eastern Parts of this Province: Offered to the House, and Read.

A Petition of *Joseph Morse* Representative of the Town of *Sherbourn*, Presented to the House, and Read; Praying that a Plat of Four Thousand Acres of Land, (there-with exhibited) laid out and protracted by *Thomas White* Surveyor, pursuant to a Grant of this Court, may be confirmed to the said Town.

A Message from the Board by *John Wheelwright*, and *John Clark* Esqrs. Desiring the House to have a further consideration of the Memorial of the Council that manag'd the Government, after the Death of Lieut. Governour *Stoughton*, until the Arrival of His Excellency our present Governour.

The said Memorial purporting as entred *Feb.* 20th 1713. Read.

And then the House Adjourn'd till Monday next Three a Clock afternoon. [5]

Lunæ 30 die Maii 1715.

A Petition of *Richard Coomes* and *Hephzibah* his Wife Daughter of *Joseph Newel*, late of *Roxbury*, deceas'd, presented to the House & Read; Praying Relief from great wrong they suffer, by the Heirs of *Florence Maccarty* late of *Boston*, deceas'd, injuriously with-holding from them Lands that were her Father's, lying in *Roxbury* aforesaid; and for which they are without remedy in the Law.

Ordered, That a hearing be granted on this Petition, before this Court, on Friday next at Ten a Clock in the forenoon: And that the Petitioners serve the adverse Party with a Copy of the Petition, and a Notification, That they may be heard, if they have any thing to Alledge why the prayer of the Petition should not be Granted. Sent up for Concurrence.

A Petition of *Daniel Marsh* Representative of the Town of *Hadley*, presented to the House & Read, praying, That a Tract of Land of Four Miles Square adjoyning to the said Town may be annexed, and made part thereof, Agreeable to a Grant of this Court, formerly made, That the said Quantity should be laid to them.

And a Petition of *Ebenezer Pumry* and Nineteen others Inhabitants of the said Town, and the Town of *Northampton;* presented to the House & Read; Praying, That the said Lands, with others near adjoining may be Granted to them, to Settle and Form a Township there.

Ordered, That the said Petitions be referr'd to further Consideration, at the Session of this Court in the next Autumn.

And that in the mean time the Town of *Hadley* lay out their Grant, of Four Miles Square, made to them by the General Court in *May* 1683. by a skilful Surveyor, under Oath, either of the South-west, or North-east End of the said Town. That the Province Land lying between the said Town, and the Town of *Springfield*, may not be cut in pieces, and made unfit for future Grants and Settlements, and return a Plat thereof to this Court for Confirmation.

Whereas a great Number of Guns were fired yesterday, being the Lords Day, at *Castle William*, for which we are not sensible of any necessary occasion.

Ordered, That Mr. Speaker be desired to wait on His Excellency the Governour, and inquire, Upon what occasion, and by whose order they were fired; and desire that for the future Orders may be given, That no Guns may be fired there on the Lord's Day, but in cases of necessity.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Martis 31 die Maii 1715.

A Petition of *Samuel Partridge* Esq; Praying as entred the Third day of *Novemb.* last, Read again and Committed.

Sundry Accompts of charge arising for the furnishing of Major *John Stoddard*,

and the Reverend Mr. *John Williams*, and their Attendants, to proceed on their Journey to *Canada*, *Anno* 1713. being sent by this Court to obtain the English Captives there.

And Accompt of charge after their Return, and charge upon the Captives return'd, Presented to the House for Allowance and Payment: Read and committed to the Committee for Petitions.

The following Report offered to the House, *viz.* We under-written, having been appointed by the Honourable General Assembly of this Province the 10*th* day of *June*, *Anno* 1714. To view a Tract of Land adjoyning to *Brookfield* on the South, and to *Brimfield* on the East, extending from *Brookfield* South-west Corner Eastward, Three Miles, in order to its being added to the Town of *Brimfield*, whose Bounds are straitned on the South, by the Partition Line of this Province, and the [6] Colony of *Connecticut*, and make Report thereof. Having strictly Measured said *Brimfield* West Line, which we find to be Seven Miles & Sixteen Perch, as it Bounds on *Springfield*, tho' not so much Square off from the said Partition Line; and also the Distance between *Springfield*, and the South-west Corner of *Brimfield*, which we find to be Eight Miles one Quarter, and Twenty-two Perch, and no more; which said Tract is short of the Contents of Eight Miles Square, and withal very Mountainous, and uncapable to entertain a suitable Number of Families, without an addition at the East End: Are therefore humbly of Opinion, That unless Three Miles be added, to the said Town of *Brimfield*, as described in the Subsequent Map; It will not be inviting nor capable to entertain a Suitable Number of Families, according to the Direction of the Court, relating to the Settlement thereof; the said Eastermost End only being capable to entertain Inhabitants to Settle in a defensible manner. *April* 21. 1715. Signed,

Joseph Parsons
(only not present at the Measuring)
John Partridge
John Chandler.

Read and Accepted.

And Ordered, That the Report be accepted; And all the Land between the Province Line, and the South Line of *Brookfield*, for the Space of Three Miles from the East End of the Town of *Brimfield*, be Granted and Added to the said Town of *Brimfield*. Provided, It Intrench not upon the Four Miles Square, ordered to be Surveyed for *Wait-still Winthrop* Esq; nor upon any other former Grant.

Sent up for Concurrence.

Ordered, That Mr. *Cooke*, Mr. *Remington* and Mr. *William Paine*, be a Committee to consider what Acts are Expired, or near Expiring, that should be Revived or Continued; and prepare a Bill or Bills for the same; And to prepare and offer such other Bills, as they apprehend proper now to be Enacted.

Voted, That the right of this Province in and to the River commonly called *Piscataqua* River, be Asserted and Maintained.

And in order there-unto:

That a Breast-work for Six Guns be Erected in some convenient place, in the Town of *Kittery*, for the Defence of the River.

That Six Guns with Shot and Carriages be Ordered to the Town of *Kittery*, upon their Erecting a Breast-work, & Platform, & obliging themselves to Maintain the same.

That His Excellency be desired to give his Orders accordingly.

That it is for His Majesty's Service, That there be a Naval Office kept in the Port of *Kittery*, to avoid the Unreasonable Duties or Impositions Exacted from the Inhabitants of this Province, passing in and out said River, by the Naval Officer of the Government of *New-Hampshire*.

That all Ships or other Vessels that Load or Unload at the Port of *Kittery*, be obliged to enter, and clear with the Naval Officer there, and Pay the Duties of Impost and Powder Money according to Law.

That all the Harbours in *Kittery* and *Berwick*, shall belong to the Port of *Kittery*.

Sent up for Concurrence.

A Petition of Twenty-four Inhabitants of that Part of *Hingham*, called *Conihasset*, presented to the House and Read, praying, That they may be set off, and made a Separate or Distinct Precinct, as to the Publick Worship of God; for Reasons there-in mentioned.

Ordered, That the Petitioners serve the Town of *Hingham* with a Copy of this Petition, and that they be heard before this Court, on the Eighth Day of *June* next, if they have any thing to offer why the prayer thereof should not be granted.

Sent up for Concurrence. [7]

Post Meridiem.

Mr. Treasurer *Allen* Attended the House with his Accompts of the Treasury, which were Read, and he withdrew.

Ordered, That Mr. *Cooke*, Mr. *William Paine*, Capt. *Chambers*, Mr. *Remington*, and Mr. *Samuel Clap*, be a Committee to Examine and Audit the Treasurers Accompts, and inspect the Vouchers of the several Payments:

And make Report to the House.

The Vote of this House pass'd the 27th Currant, for sending Twenty Men from *Casco Fort* to *Arowsick* Island, sent down from the Board, pass'd upon there, *viz.* In Council *May* 31 1715. Read and Concurr'd, and that His Excellency be Desired, to add Ten Men more to the Garrison of *Casco*, for the present Exigence, and until further Order.

Sent down for Concurrence. Read.

The Vote of this House pass'd the 28th Currant, for a humbly Address to His Majesty, sent down from the Board, pass'd upon there *May* 31. 1715. In Council, Read and Concurr'd; And that the Settlement of the Eastern Parts, and the Affair of *Cape Breton*, now in the hands of the *French*, be particularly considered, in the said Address; and *Elisha Hutchinson*, *Samuel Sewall*, *John Higginson*, and *Addington Davenport* Esqrs. are added to the Committee.

Read and Concurr'd; and Sent up again.

A Letter from Mr. Agent *Dummer*, to Mr. Secretary *Addington*, for the General Assembly, Dated *April* 5th 1715. Read.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Mercurii 1 die Junii 1715.

CApt. *Noyes* from the Committee for Petitions, made Report on the several Accompts of charge in the Out-set of Major *Stoddard*, and Mr. *Williams* for *Canada*, &c. which was accepted by the House, and the following Accompts allowed to be paid, *viz.*

To Dr. *Robert Ellis* his Accompt of Medicines & Attendance, on Sick Captives, &c.	9	15	00
To Mr. *Thomas Tarbol* his Accompt of Charge.	5	17	00
To *Joseph Kellog* as *per* Accompt.	3	15	00
To *Martin Kellog* as *per* Accompt.	29	18	04
To Capt. *Thomas Baker*, Accompt of charge in his Sickness.	12	04	00
To the Honourable *Samuel Partridge* Esq; for his extraordinary Service for Six Years in the late War.	25	00	00
To Col. *Samuel Partridges* Accompt. *N°*. 1.	22	12	10
To Col. *Samuel Partridges* Accompt. *N°*. 2.	21	01	05
l.	130	03	07

Resolved, That the Sum of *One Hundred* and *Thirty Pounds*, *Three Shillings*, and *Seven Pence*, be Allowed, and paid out of the Publick Treasury, to the several Persons named in the above Accompts, according to the Sums annexed to their Names, for the Discharging of the said Accompts.

Sent up for Concurrence.

A Petition of *John* and *Matthew Whipple* in behalf of the new Precinct in *Ipswich*, presented to the House and Read, praying, That several other Families near to them in the said Town, may be added to the said Precinct.

And a Petition of Sundry Persons, Praying that they may be annexed, and laid to the said Precinct. Read, and [8]

Ordered, That the Petitioners serve the Town of *Ipswich* with a Copy of both

these Petitions, who may be heard before this Court, if they have any thing to object against the prayers thereof, on the Tenth Day of this *Month*, if the Court continues Sitting so long, otherwise on the first Day of the next Session.

Sent up for Concurrence.

A Petition of *Joseph Pratt* and Fifty-nine others, Inhabitants of the Easterly Part of *Bridgewater*, presented to the House & Read, praying, That they may be set off, and made a Separate Precinct, as to the Maintenance of the Gospel Ministry.

Ordered, That the Petitioners serve the Town of *Bridgewater*, with a Copy of this Petition, and that a Hearing be granted on the first Thursday, of the next Session of this Court, if they have any thing to Alledge, why the prayer thereof should not be granted.

Sent up for Concurrence.

A new Platt of the Grant of the Township of *Sutton*, Laid before the House for Allowance and Confirmation; which being Inspected.

Ordered, That the said Platt be Rejected, as not being agreeable to the Grant of this Court.

Ordered, That all Platts of Land that shall be offered to this Court for Confirmation, be hence-forward such, as the Surveyor and those who caryed the Chain, in Measuring the Land are under Oath, to a faithful and impartial performance of those Services.

Some of the Members Informed the House that Mr. *John Randall*, who is return'd Representative of the Town of *Rochester*, is a Profane person, and stands Convict of Scandalous Immorality's.

Mr. *Randall* had Opportunity given him, to make his Defence. But he express'd himself unconcern'd to clear his Reputation.

Whereupon he was Ordered to withdraw.

The Question being put, Whether the House esteem the said Mr. *Randall* to be a person worthy to Sit as a Member of this House?

It pass'd in the Negative.

Ordered, That the said Mr. *John Randall* be Expell'd this House.

The said Mr. *Randall* was again call'd into the House.

And Mr. Speaker acquainted him with the Vote, the House had pass'd. And that he was Expell'd the House. Whereupon he immediately Departed the House.

Ordered, That a Precept be sent to the Town of *Rochester*, to Elect and Send a Representative to Attend His Majesty's Service in this House, on the 10th Currant, and so *de die in diem*, during the Sessions thereof, in the room of the said Mr. *Randall*. And that they be Reprimanded for their abusing their Privilege, in Electing and Sending a person of such an Ignominious Character to Represent them.

A Memorial of some of the Ministers of the Gospel in this Province, Moving this Court to Countenance, and Assist the Calling of a Synod of the said Churches, by their Pastors and Delegates. Signed,

Joseph Gerrish
John Danforth
Benjamin Wadsworth
Ebenezer Pemberton
Benjamin Colman
Peter Thacher.

Sent down from the Board, pass'd upon there, *viz.* In Council *May* 31. 1715. Read and Voted, That the Synod and Assembly above-mentioned, is agreeable to them, and the Reverend Ministers, are Desired to take their own time for the said Assembly, and earnestly wish the Issue thereof may be a happy Reformation, in all the Articles of a Christian Life and Manners amongst His Majesty's good Subjects of this Province. Sent down for Concurrence. Read. [9]

Post Meridiem.

A Petition of *Joseph Brown* & Forty-two Others, Inhabitants of the East and West Precincts in the Town of *Newbury*, presented to the House and Read; praying that they may be set off, and made a Separate Precinct for the Maintenance of the Publick Worship of God, which the Eastern Precinct have consented to, but as yet the Western have not.

Ordered, That the Petitioners serve the Western Precinct, with a Copy of this Petition, and Notifie them that they may be heard, before this Court on Friday the Tenth Currant, if they have ought to alledge why the prayer thereof should not be granted. Sent up for Concurrence.

A Bill Intituled, *An Act in Addition to an Act for Erecting of a Powder-house in Boston.* Read a first time.

Ordered, That a Precept be sent to the Town of *Plymouth*, to Elect & Send a Representative, in the room of *James Warren* Esq; deceased, to appear at this House the 10*th* day of *June* Currant, at Nine a Clock.

A Petition of *James Cawley* Representative of the Town of *Marblehead*, presented to the House and Read, praying that the said Town may be freed from the Obligation to Maintain a Gunner at the Fort, in the said Town, in time of Peace, which they are injoyned to do by an Order of this Court pass'd in *October* 1708. for reasons therein set forth.

Ordered, That the prayer of the Petition be granted. Sent up for Concurrence.

A Petition of *Joseph Hammond*, presented to the House and Read, praying that he may be allowed a proper Consideration, for his Time and Expences Ten Dayes in assisting with Others appointed by this Court, in *April* 1714, to

Discover and Determine a proper place for Setling a Town at or near *Casco Bay*. Committed.

The Report of the Committee for Setling the *Eastern Parts*, Read again and committed to the Committee for Petitions to Report their Opinion what is proper to be done thereon.

A Petition of *Samuel Emery*, and *Samuel Moodey* Ministers of the Towns of *Wells* and *York*, presented to the House and Read, Moving, That the Fort at *Winter Harbour*, may be supplyed with a Chaplain. Committed.

A Petition of *Thomas Tarboll*, presented to the House and Read, praying consideration and allowance for his Time and Expences in going to *Canada*, with Major *Stoddard* & Mr. *Williams*, *Anno* 1713. to recover the Captives. Committed.

A Bill Intituled, *An Act in Addition to the Act for Erecting of a Powder-house in Boston*. Read a second time.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Jovis 2 die Junii 1715.

THe Committee appointed to Examine the Treasurers Accompts, Reported, That in these Accompts is an Article of Eight Pounds, given to the Troops that attended His Excellency the Governour, when he Re-assumed the Government; for which the Treasurer has no Warrant, from the Governour and Council directing its Payment.

And the Question being put, Whether the said Article be allowed in the said Accompt? It pass'd in the Negative.

Capt. *Noyes* from the Committee for Petitions, made Report on the Petition of *Thomas Tarboll*, *viz.* That they are of Opinion that nothing is due from the Province to the said *Tarboll*, since he proceeded as a Volunteer in that Service to *Canada*, & not imployed by the Government, but recommended him to the favour of the House.

Which was accepted by the House. And the House considering the Service he had done: [10]

Resolved, That the Sum of *Ten Pounds* be Allowed and Paid out of the Publick Treasury to Mr. *Thomas Tarboll* the Petitioner for his Service mentioned in his Petition, being Voluntary. Sent up for Concurrence.

Mr. *Cooke* from the Committee appointed to Examine the Treasurers Accompts, made Report, *&c.*

The Committee having perused the Treasurers Accompts for the Year 1714 in which he chargeth himself with the Sum of *Eighty-three Thousand Eight Hundred* and *One Pounds*, *Ten Shillings* and *Eleven Pence*.

We find that he has Discharged himself by Order of the Governour and Council, of the Sum of Fifty One Thousand Three Hundred & Four pounds One Shill-

ing and Nine pence; and that there is standing out, Seven Thousand, Seven Hundred and Seventy Five pounds, Three Shillings and Eight pence, of the Taxes; Fourteen Thousand Two Hundred & Nine pounds & Two pence, Neat Province Bills, for the Exchange of Bills. Six Thousand and Forty Nine pounds, Eleven Shillings and Two pence, Neat Province Bills. Four thousand Four hundred and Sixty three pounds Fourteen Shillings and two pence, Province Bills, with the Five *per Cent.* advance thereon, to be drawn into the Treasury; being in the whole, Thirty two thousand Four hundred Eighty nine pounds Nine Shillings and two pence, which he is further to be Accountable for, besides Twenty thousand two hundred and Forty One pounds of Powder in the Powder-house.

And that he has remaining in his hands, Three thousand Nine hundred and Fourteen pounds thirteen shillings and four pence, to Defray the charges of the Year One thousand Seven hundred and Fifteen.

Boston,
June 2 d.
1715.
Read and Accepted.

Committee { *William Paine*, *Elisha Cooke* jun, *Cha. Chambers*, *Samuel Clap*, *James Remington*

The Accompts of Mr *Jer. Allen*, Treasurer and Receiver General of this Province beginning the 31 Day of *May*, 1714. and continued unto the 26*th* Day of *May*, 1715. Amounting unto the Sum of Eighty three thousand eight hundred & One pounds ten shillings & eleven pence, having been presented & laid before the House of Representatives, and Inspected by said House, by which it appears there was standing out on the said 26*th* Day of *May*, Seven thousand seven hundred & seventy-five pounds three shillings and eight pence, of the Taxes; Fourteen thousand two hundred and nine pounds, and two pence, Neat Province Bills, for the Exchange of Bills. Of Six thousand & forty nine pounds, eleven shillings and two pence, Neat Province Bills, and Four thousand four hundred and sixty three pounds fourteen shillings and two pence Province Bills, with the Five *per Cent.* advance thereon, to be drawn into the Treasury and further Accompted for.

Voted, That the said Accompts in the several Articles of Receipts, and Payments therein mentioned, Amounting unto the Sum of Fifty One thousand three hundred and Four pounds, One shilling and Nine pence, Be and are hereby Approved and Allowed of, and the said Treasurer is hereby Discharged of the said Sum of Fifty One thousand three hundred and Four pounds One shilling and Nine pence.

Sent up for Concurrence.

The *Vote* of this House, on a Plat of Two Hundred Acres of Land, (a Grant formerly made to *Thomas Eames*) passed, *Octob.* 29. 1714. not being that Session pass'd upon in Council.

Ordered, That the said *Vote* be Revived and Sent up for Concurrence.

A Petition of the Children, and Heirs of Mr. *John Haynes* late of *Sudbury*, deceas'd, presented to the House and Read, praying for the Confirmation of their Title, to a certain Tract of Land, formerly bought by the said Deceased, of *Joseph Robins*, and *Benjamin Antony*, Indians. Committed. [11]

IN Consideration that the Trade of this Province is greatly Obstructed, and Sunk by the Exportation of the Coin, & for want of a Medium of Exchange: and the only Medium now passing in Trade, is the Bills of Publick Credit, which are so far drawn in already, That it is a Difficulty, next to an Impossibility for this Province to pay the Tax of Twenty-two Thousand Pounds, *Granted to be raised this Year, within the same.*

And Considering, That no Damage will accrue to the Publick, or to Private Persons, but Conveniency & Advantage to both, by Protracting the Payment of Part of the said Tax to a further convenient time.

Voted, That *Eleven Thousand Pounds* only of the said Sum be Levied, and Collected this present Year; and that the Impost and Excise be a Fund and Security for Drawing in the Sum of Four Thousand Pounds more thereof.

And that the remaining Sum of *Seven Thousand Pounds* be Levied, at the Session of this Court in *May*, 1722. and Paid in to the Treasury by the last Day of *December* next after. Sent up for Concurrence.

Ordered, That Col. *Winthrop*, Capt. *Noyes*, Col. *Thaxter*, Mr. *Parsons*, Mr. *Epps*, and Capt. *Arnold*, be a Committee to Inquire after a Suitable & Convenient House, for the Reception & Entertainment of His Excellency Col. *Burges*, our expected Governour, when he shall Arrive, and to make Report to the House.

A Petition of the Select-men of the Town of *Newton*, presented to the House and Read, praying this Court to send a Committee, to View the said Town, and Consider of and Determine the most convenient Place for the Erecting a Meeting House for the Publick Worship, that shall best accommodate the whole Town. Sent down from the Board, pass'd upon there, *viz.* In Council, *May* 31. 1715. Read & Accepted. And the last Committee whereof *John Otis* Esq; was Chairman, are appointed a Committee, to go upon the Place, and prefix the certain Spot, for Erecting a Meeting House; and this to be a final Settlement of the Town referring to the Place, for Erecting a House, for the Publick Worship of God.

Sent down for Concurrence. Read and Concurr'd.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Veneris 3 die Junii 1715.

A Petition of *Isaac Amsden* and Sixty-six Others Inhabitants of the Town of *Marlborough*, presented to the House and Read, praying that an Addition may be made to the said Town, of certain Lands lying between it, and the South Line of the Town of *Lancaster*, and of Sundry Farms adjoining to them.

And a Petition of several Inhabitants of the said Farms, Read, praying that they may be annexed to the Town of *Marlborough.*

Referr'd to consideration at the next Session.

A Petition of the Inhabitants of the first, and eldest Precinct, in the East part of the Town of *Springfield*, presented to the House and Read, praying that the Lands belonging to them, which lie within the Precinct called *Long Meadow Precinct*, may be Excused for paying to the Ministry there, and pay to the first Precinct.

And the Question being put, Whither the prayer of the Petition be granted?

It pass'd in the Negative.

A Motion being made by *Joseph Parsons* Esq; Asking leave to bring in a Bill for the preservation of Pine Trees:

Ordered, That Mr. *Parsons* have leave to bring in a Bill for the preservation of Pine Trees.

The Petition of *Joseph Morse*, praying, as entred the 28*th May* last, Read again. The Surveyor that took the Plat therein referr'd to, being Sworn. And the following Vote pass'd and entred on the Plat, *viz.* This Plat having been presented for Confirmation, and Viewed and Inspected by the House. [12]

Ordered, That the Land therein Described be Allowed, Granted, and Confirmed to the Town of *Sherbourn*, as an equivalent for the Seventeen Families laid to *Framingham*, Mentioned in the Plat: Provided it intrench upon no former Grant.

Sent up for Concurrence.

A Petition of *Joseph Green* of *Salem*, presented to the House and Read, praying, That a Surveyor may be appointed to lay out a Farm formerly Granted, to Marshal General *Mitchelson* (the laying out of that, and Mr. *Green* the Printer's Farm Interfering with one another.) Committed.

A Petition of *John Brigham*, and thirty Others, presented to the House and Read, praying, That a Tract of Land lying between *Marlborough*, *Lancaster*, *Worcester* and *Assanomisco*, may be Granted to them with the Privileges of a Township; Reserving to the Interested such prior Grants as are therein included.

Referr'd to further Consideration at the Sext Session.

The Petition of *Joseph Hammond*, praying as entred the first Currant, further considered and the Report of the Committee thereon, which was Accepted by the House, and accordingly, In answer to the said Petition:

Resolved, That the Sum of Five pounds be allowed and paid out of the Publick Treasury to Mr. *Joseph Hammond* the Petitioner, for his Service set forth in his Petition. Sent up for Concurrence.

The Vote of this House pass'd the 27*th* of *May* last, for Souldiers to Cover the Settlement at *Arrowsick* Island, sent down from the Board, pass'd on there, *viz.* In Council, *May* 31. Read and Concurr'd, and that His Excellency be desired to add Ten Men more to the Garrison at *Casco* for the present Exigency, and until

further Order. Sent down for Concurrence. Read and Committed to the Committee for Petitions.

A Memorial of *Samuel Partridge* Esq; the Representatives of the several Towns of the County of *Hampshire*, and Others, presented to the House & Read, praying, That a Committee may be appointed, to Discover the most convenient Course, for a Cart-way to be made in, from *Marlborough* to *Brookfield*, to *Springfield*, and from *Brookfield*, to *Hadley*; and Report a Calculation of what they suppose it may Cost to make such Roads passable, in order to it's being done.

Ordered, That Col. *Thaxter*, Mr. *William Wilson*, & *Joseph Parsons* Esq; be a Committee to Discover & Report the most convenient Course for the Roads proposed in the said Memorial, together with a Computation of the charge it will probably Demand to make them passable. Provided the Petitioners, or the County of *Hampshire*, will bear the charge of the Committee. Sent up for Concurrence.

Post Meridiem.

Capt. *Noyes*, from the Committee appointed to consider of a Suitable Place for the Reception & Entertainment of Col. *Burges* upon His Arrival to this Government. Reported, That inasmuch as there is no Suitable House to be Let, and the Mansion House, Land & Garden, *&c.* of *Peter Sergeant* Esq; deceas'd is now upon Sale: The Committee are of Opinion that it would be for the Interest & Benefit of this Province to purchase the same for their Use & Improvement.

The Petition of *Joseph Green*, praying as entred this Day, further considered, and the Report of the Committee thereon, which was accepted by the House, and accordingly,

Ordered, That the Petitioner may Imploy an able Sworn Surveyor with Men under Oath to carry the Chain, to lay out so much of the Province Land adjoining to *Mitchilson's* Farm, as by mistake was taken up of *Green*'s Farm, in the first laying out of *Mitchelson*'s Farm, so as that the said *Mitchelson*'s Farm, may contain three hundred Acres, as at first Granted; and lay a Plat thereof before this Court for Confirmation. Sent up for Concurrence. [13]

Complaint having been made to this House the first of this Instant June, *That Mr.* Samuel Sternes, *a Member of this House & Representative of the Town of* Watertown, *and Treasurer of the said Town, has opposed the Execution of the Orders of this Court, relating to the Maintenance of the Ministry in the said Town.*

And Mr. Sternes *at his Desire, had time given him till this Day to make answer to the Complaint, which he did; several of his friends in the said Town, together with the Complainents, being present; And both Parties having been heard, they withdrew.*

And Mr. Sternes *was Directed to withdraw until he is called for.*

After some Debate:

The Question was put, Whether the House is of Opinion that Mr. Sternes *is guilty*

of Opposing the Execution of the Orders of this Court relating to the Maintenance of the Ministry in Watertown?

And it pass d in the Negative.

Ordered, That Mr. *Sternes* be called in, and have a caution given him in the words following, *viz.*

Mr. *Sternes*, This House have been so tender as not to Vote you guilty of Opposing the Orders of this Court in the Articles complain'd of against you. Yet they are very sensible you have not so encouraged & promoted Obedience thereunto as the publick Station, you have stood in, have Obliged you to do: And therefore caution you for the future to be very careful that you do not by word or deed Encourage a Disobedience to them.

But Advise & Exhort you, to use all proper Methods agreeable to your Duty as a Christian, a Member of this Court, and an Officer in the Town, to promote and forward a compliance, with the Orders of this Court, for the Support of the Ministry in your Town, that there be no further Disputes, or Differences about the raising the Maintenance of your Ministers, so plainly Directed in the Orders of this Court. And in that Expectation, we continue & entertain you a Member of this Honourable House.

A Bill Intituled, *An Act in Addition to an Act for Erecting a Powder-house in Boston.* Read a third time.

Ordered, That the Bill do pass to be Engrossed. Sent up for Concurrence.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Sabbati 4 die Junii 1715.

A Petition of *Constant Freeman* Representative of the Town of *Truro*, presented to the House & Read, praying, That the Province Land at *Cape Cod*, not included within the Bounds of any Township, may be added to the Town of *Truro*, and so be brought under Government; Or else that the Inhabitants there may not belong to the Constablerick of the said Town, for reasons therein mentioned.

Committed.

A Report of the Committee for Petitions, on the Report of the Committee for Setling of the *Eastern Parts* of this Province. Read and Debated, Paragraph by Paragraph: And several Paragraphs Voted with some Amendments.

And then the House Adjourn'd till Tuesday Morning Nine a Clock.

Martis 7 die Junii 1715.

A Petition of *Samuel Partridge* Esq; *John Stoddard* Esq; and *Henry Dwight*; the Committee for Setling of the Town of *Northfield*, presented to the House & Read, praying the Direction of this Court, in several Articles relating to the Settlement of the said Place. Committed. [14]

A Bill Intituled, *An Act for altering the Time for the holding the Courts of General Session of the Peace, & Inferiour Court of Common Pleas, within the County of* Barnstable, pass'd at the Board to be Engross'd. Sent down for Concurrence.

Read a first time.

A Bill Intituled, *An Act against Burglary*, pass'd at the Board to be Engross'd. Sent down for Concurrence. Read a first time.

A Plat of One Hundred Acres of Land laid out by *Thomas White* Surveyor, contiguous to the Town of *Mendon*, being imployed by the Heirs of *Simon Broadstreet* Esq; deceased, formerly Governour of the late Colony of the *Massachusetts-Bay*, pursuant to a Grant of this Court, made *Novemb.* 21. 1702. Presented to the House for confirmation.

Ordered, That the Lands so Platted be confirmed to such of the Heirs of *Simon Broadstreet* Esq; as of Right the said Grant doth belong. Provided it doth not exceed the Quantity of One Thousand Acres, nor intrench upon any former Grant.

Sent up for Concurrence.

A Petition of *Isaac Hubbard* and Thirteen Others, Proprietors of the Town of *Swampfield*, presented to the House and Read, praying, That the said Township may be Inlarged, by the Addition of more Land thereto. Committed.

A Petition of *Mary Cole* of *Boston*, Widow, presented to the House and Read, praying, That she may be Enabled to Mortgage the House & Lands which were her late Husbands *Henry Cole*'s, for 400 *l.* to redeem them from a Mortgage of 300 *l.* and to pay other Debts.

The Report of the Committee for Petitions, upon the Report of the Committee for Setling the *Eastern Parts* of this Province, further considered, and some other Paragraphs thereof Voted.

A Message from the Board, That according to the Order of the Day, Mr. Speaker and the House now come up to attend two Hearings.

The One upon the Petition of —— *Lovering* of *London*, per *John Merion* his Attorney, —— *Kimball* of *Watertown the* adverse party.

The Other on the Petition of *Richard Coomes*, & *Hephzibah* his Wife. The Heirs of *Florence Maccarty* the adverse party.

Mr. Speaker, and the House went up accordingly, and the said Hearings being finish'd Return'd to their own Chamber.

Post Meridiem.

The Vote of this House, pass'd the 2 d. of *June*, Instant, for Raising the Tax of Eleven Thousand pounds only this Year, *&c.* Sent down from the Board, not Concurr'd. Read, and further consider'd, and

Ordered, That the said Vote be Insisted on and sent up again.

A Petition of *Jonathan Hastings* of *Cambridge*, presented to the House, and

Read, praying, That he may be enabled to have a Hearing of Two Actions between him and *Job Bull* of *Boston*, who Married *Sarah* the Widow of *Richard Sherin*, before the next Superiour Court of Judicature, to be holden at *Charlstown*; having Appealed from the Judgment of the Inferiour Court, to the Superiour Court, and by a Mistake in his reasons of Appeal, both his Actions were Dismist, by the Superiour Court.

Ordered, That the Petitioner serve the adverse Party with a Copy of the Petition, and Notifie them that they may be heard before this Court on Friday next, if they have Plea to make why the prayer thereof should not be Granted.

Sent up for Concurrence.

The Report of the Committee, for Petitions upon the Report of the Committee for Setling the *Eastern Parts* of this Province, further considered, and the remaining Paragraphs thereof Voted with some Amendments; and the whole is as follows, *viz.* In answer to the Proposals of *Thomas Hutchinson* & *John Wintworth* Esqrs. in behalf [15] of themselves & Partners, recommended by the Committee of the Eastern Claims, for the Setling of Two Towns forthwith in a regular & defensible manner.

Voted, That the said Towns proposed to be Setled be accepted, and encouraged according to their Report.

That the Land Platted for a Town from *Pejepscot Falls*, to *Macquoit* in *Casco Bay* be Constituted a Township, to be Laid out; the quantity of Six Miles Square, as the Land will allow; and be called by the Name of *Brunswick*, to be forthwith Setled in a defensible manner.

That the Other Town Platted in a Square of a Mile, to the Eastward of *Ambroscogging* River, fronting to *Merry Meeting Bay*, be allowed & accepted by the Name of *Topsham*, and be Platted & Laid out, the quantity of Six Miles Square, as the Land will allow; and a Return made in some convenient time to this Honourable Court.

Voted, That for the Satisfaction & Encouragement of those that offer to Settle in the said Towns, that this Court give a Confirmation to their Purchase, as Bounded and laid down in their Proposals, with a *Saving* for any and all other Grants, Titles, Interest, or Estates that may be found within the same. And particularly, that of *Harvard College*, and with a reservation of the Rights, Improvements & Possessions of any Inhabitants or Proprietors. *Provided always*, and it is to be understood that those persons shall be subject to such regulations of this Court, as has been made for their Settling in a defensible manner.

Voted, That the said Townships be freed from the Province Taxes, for the space of Five Years, from their first Setting down; and this Court do encourage the Ministry, as shall appear reasonable unto them. *Provided*, That the Proposers on their part, perform what they offer of Encouraging a Ministry, Minister & Schools, and Proceeding forthwith, to Grant such Tracts in Fee to such as will

Settle there. And in order to the Covering these Settlements the Stone Fort near *Pejepscot Falls* be repaired, and that Fifteen Men, One of which to be a Serjeant, with a Commission Officer upon Ensignes Pay, be placed there for the Protection & Assistance of the New Settlements, in the room of the Fort, or Trading House at *Casco*, which being much out of Repair, We are of Opinion, It is for His Majesty's Service, It be slighted and no longer continued. That his Excellency the Governour be desired to give his Orders accordingly, and also for the Inlisting Five Men, which with Ten Men taken from *Casco* makes the Complement for *Brunswick*.

And in answer to the Representation of Mr. *Edward Hutchinson*, They humbly offer that the other Twenty Men of the Complement, that is now at *Casco* be removed to *Arrowsick* Island for their Covering, for the space of Six Months, and no more, agreeable to the Grant of the General Court.

Voted, That Major *John Wheelwright*, Mr. *Abraham Prebble*, Mr. *Joseph Hammond*, *Charles Frost* Esq; Mr. *John Leighton*, and any Three of them be a Committee, to Prosecute the regular Settlements, of the Eastern Frontier, and that in answer to the Petition of the Proprietors of *Cape Porpus*, and *Black Point* to the Committee for Claims, the said Committee be Directed to lay out the Town Plats, in a regular and defensible manner, at the charge of the Proprietors, and of such other Town as shall offer agreeable to the Order of Court.

Voted, That the Memorial offered by the Reverend Mr. *Samuel Emery*, and Mr. *Samuel Moodey*, be referred to the said Committee, to Report to this Court the State of *Winter Harbour*.

Voted, That agreeable to the Committee of Claims Report, relating to a Road to the Eastern Settlements. We are of Opinion that it is necessary that a Road be laid out in the most convenient Place, from *Wells* or *Newitchawanock* to *Pejepscot Falls*, as shall be thought most convenient & practicable, and a Computation made of the charge, be laid before this Court; and that it be an Instruction to the said Committee, to cause the same to be Surveyed, & to make their Report of the Place & charge. And that a Committee of both Houses be appointed to prepare the Draught of an [16] Act, for settling and quieting the Titles of the Lands that are to the Eastward of *Piscataqua River*. Sent up for Concurrence.

Complaint being made to the House that Capt. Benjamin Stevens, *One of the Members thereof, Representative of the Town of* Andover, *was within the time of the present Session*, viz. *Yesterday Arrested in a Civil Action, by* Benjamin Coker, *Under Sheriff of the County of* Essex, *by virtue of a Warrant granted by* Joseph Woodbridge Esq; *Justice of Peace; which is an Indignity offered to this House, a manifest Breach of the Privilege thereof, & a Transgression of the Law of this Province.*

Ordered, That Mr. Justice *Woodbridge*, and Mr. Under-Sheriff *Coker*, be Summoned by Warrant from Mr. Speaker forthwith to appear before this House to answer for their so doing.

Ordered, That Mr. *Seth Sweetsor* of *Charlestown*, be impowered, & imployed as a Messenger of this House to go and Serve the said Summons.

A Petition of Serjeant *Daniel Tucker*, presented to the House & Read, praying for Consideration & Allowance to be Granted to him towards his Support, being under Cure of a Gun-shot Wound he received in the Service against the Indian Enemy, in the late War.

Resolved, That the Sum of Ten Pounds be Allowed, and Paid out of the Publick Treasury to *Daniel Tucker* the Petitioner, towards his Support.

Sent up for Concurrence.

A Petition of the Inhabitants of the Town of *Brookfield*, presented to the House and Read, praying, That the Lands of *Non-Resident* Proprietors, and other unoccupied Lands in the said Town, may be made liable to Town Assessments, for reasons therein rendred. Committed.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Mercurii 8 die Junii 1715.

A Petition of *Wait Winthrop* Esq; praying, That the Committee appointed to lay out the Town of *Brimfield*, may be forbidden to proceed therein, so as to Encroach upon a Tract of Land belonging to him at *Tantiusques*, or the *Black Lead Mine Hill*. And that he may be Allowed to take a Plat of his Land there by an able Surveyor at his own charge, and lay the same before this Court for Confirmation. Sent down from the Board, pass'd upon there, *viz.* In Council *June 4th* 1715. Read and Ordered, That the prayer of this Petition be Granted.

Sent down for Concurrence. Read and

Ordered, That the prayer of the said Petition be so far Granted, That the Petitioner may imploy at his own charge an able Surveyor, with Chain-men under Oath, to lay out Four Miles Square of Land, which shall include the *Black Lead Mines*, that have been Opened in the *Hill Tantiusques*, mentioned in the Petition, without Intrenching on any former Grant; and present a Plat thereof, to this Court for Confirmation at their Session the next Autumn; and that the Surveyor and Chain-men were under Oath, to be certified on the Plat.

Sent up for Concurrence.

A Message from the Board, That Mr. Speaker, and the House, now come up to the Council Chamber, to attend the Hearing Ordered to be this day, upon the Petition of that Part of *Hingham* called *Conihasset*, praying they may be made a Separate Precinct.

Mr. Speaker, and the House went up accordingly, and when the Petioners, and the other Part of the said Town had been fully heard, they withdrew. And Mr. Speaker and the House return'd to their own Chamber. [17]

A Memorial of Capt. *Zechariah Tuthil* Victualler of His Majesty's Garrison at

Castle *William*, presented to the House & Read, praying the Court to Direct and Order him a meet Allowance *per* Man, for his Victualling of the said Garrison for the Year next coming. Committed.

Post Meridiem.

The Memorial of the Reverend Ministers, Moving that a Synod be Assembled, which was Read the first Instant. Read again and upon a Motion being made,

Ordered, That any of the Subscribers thereof be admitted into the House, when they shall desire it, to Speak to their Memorial.

The Petition of that part of the Town of *Hingham*, called *Conihasset*, upon which a Hearing was had this Day: Sent down from the Board, passed upon there. *viz.* In Council, *June 8th* 1715. A Hearing having been upon this Petition, Ordered, That *John Cushing*, *Thomas Fitch*, *Thomas Oliver* & *Edmund Quinsey* Esqrs. or any three of them be a Committee, with such as the Representatives shall add to them, to Repair to *Hingham*, giving a Weeks Notice to the Selectmen of the Town, that they may appoint & warn a Town-Meeting. And that the said Committee do proceed to hear the Town, and the Petitioners on the Articles mentioned in the Petition. And that they use all means that the Petitioners may be peaceably established in the Support of a Minister at *Conihasset*, as is desired; and that they make Report of their proceedings, to the next Session of the General Assembly. Sent down for Concurrence. Read & Concurr'd; *Provided*, That two Months time be first allowed to the Petitioners to apply themselves in a suitable manner to the Town, that the affair may in the most peaceable Method be accommodated amongst themselves. But if after the said time is Expired, the Petitioners (having so applied themselves without success) Do attend the Committee herein Constituted, with their Desire, That in such Case, Capt. *Stephen French*, *Seth Arnold* Esqr; Mr. *John Ward*, Capt. *Isaac Little*, and Col. *Adam Winthrop*, (any Four of them to be a *Quorum* as to this House) are Nominated to joyn with the Committee of the Honourable Board, for the Service above-mentioned. Sent up for Concurrence.

A Bill Intituled, *An Act against Burglary*, Read a 2d, and a 3d time, and

Resolved, A Concurrence that the Bill be Engross'd with the Amendments annexed.

A Bill Intituled, *An Act for altering the time for holding the Courts of General Session of the Peace, & Inferiour Court of Common Pleas, within the County of* Barnstable. Read a 2d. & a 3d. time, and

Resolved, a Concurrence that the Bill be Engross'd, with the Amendments annex'd.

The Petition of *David Lovering* by *John Merion* his Attorney, on which there was a Hearing Yesterday: Sent down from the Board, pass'd upon there, *viz.* In

Council, *June 8th.* 1715. on consideration of the Allegations Yesterday in the Hearing upon this Petition. *Ordered*, That the Petition be Dismissed.

Sent down for Concurrence. Read and Concurr'd.

A Petition of *Josiah Chapin* of *Mendon* Esqr; presented to the House & Read, Shewing, That in the Year 1664. the General Court Granted to his late Father *Samuel Chapin*, Two Hundred Acres of Country Land, which Grant was laid out as was supposed without the Bounds of the said Town, but is since upon Running the Line found to be within them. Praying, That he may be allowed to take up and lay out the said Grant of Two Hundred Acres, in another place in the Province Land, where it may be found.

Ordered, That the prayer of the Petition be Granted: And that the Land be laid out in a proper regular Form, by an able Surveyor, and Chain-men under Oath; the Plat thereof to be laid before this Court, for Approbation.

Sent up for Concurrence.

And then the House Adjourn'd till to Morrow Morning Nine a Clock. [18]

Jovis 9 die Junii 1715.

MR. *Cooke* from the Committee appointed to prepare the Draught of such Bills, as were proper now to be Enacted, Offered to the House the following Bills, *viz.*

A Bill Intituled, *An Act for Reviving & further Continuing several Rates & Duties of Impost & Tunnage of Shipping*, &c.

A Bill Intituled, *An Act for the better Preserving, Increasing & Securing Naval Stores, particularly, Tar, Turpentine, & Rozin, within this Province.*

A Bill Intituled, *An Act for the more due & equal Raising of Money, for Defraying of the Charges arising in each respective County, within this Province.*

A Bill Intituled, *An Act for the Reviving & Continuing, An Act for Raising an Excise upon Wines, Liquors, and other Strong Drinks, Sold by Retail*, &c.

All which were Read the first time.

Agreeable to the Vote of the House Yesterday, the Reverend Mr. *Wadsworth*, Mr. *Pemberton* & Mr. *Colman*, were admitted into the House, and by Sundry Arguments inforc'd the Memorial of the Reverend Ministers, for the Convening of a Synod, and with-drew.

Upon a Motion being made;

Ordered, That the Reverend Dr. *Increase Mather*, with any Other of the Reverend Ministers that Desire it, may be heard before this House upon the said Memorial, at Four a Clock this day.

A Petition of *Simeon Stoddard* Esq; and 189 Others Principally Inhabitants of the Town of *Boston*, presented to the House & Read, praying, That a Medium of Exchange in Trade, may be provided by this Court, for Reasons therein set forth.

Post Meridiem.

Agreeable to the Order of the House this Day the Reverend Dr. *Increase Mather*, was admitted into the House, and Assigned several Reasons why he thought that a Synod should not be Convened at this time, as was moved by the Memorial of the Reverend Ministers, and with-drew.

Ordered, That a Light-house be Erected at the charge of this Province, at the Entrance of the Harbour of *Boston*, on the same Place and Rates proposed in a Bill, projected for the Town of *Boston*'s doing it, accompanying this Vote; and that a Bill be drawn accordingly. Sent up for Concurrence.

The following Vote sent down from the Board, *viz.* In Council *June 9th* 1715. Ordered, That *Andrew Belcher*, *Thomas Fitch* Esqrs. and Mr. Treasurer *Allen*, with such as the Representatives shall appoint, be a Committee to Inspect the former Grants & Funds, of the General Court, in order to the setling the Tax for this present Year, and Report the same. Sent down for Concurrence.

Read and Non-concurr'd.

The Petition of *Mary Cole*, praying as entred the 7th Currant. Read again, and sent up.

An Accompt of *Rowland Dike* of the charge of his Dining this House on the last Day of Election of Councellors, Amounting to 12 *l.* 15 *s.* presented to the House for Allowance and Payment.

Resolved, That the Sum of Twelve Pounds and Fifteen Shillings, be allowed and paid out of the Publick Treasury to *Rowland Dike*, the Accomptant to Discharge the said Accompt. Sent up for Concurrence.

Capt. *Noyes* from the Committee for Petitions made Report on the Memorial of Capt. *Zechariah Tuthil* that was Committed Yesterday, which was accepted by the House, and accordingly,

Ordered, That Four Shillings & Ten Pence, half Peny *per* Man *per* Week, be Allowed for the Victualling of the Garrison at Castle *William*, for the space of One Year next coming. [19]

And that no person whatsoever, Voluntarily Inlisting himself for His Majesty's Service at the said Castle, shall upon any Occasion whatsoever be removed from thence for Service else-where. Sent up for Concurrence.

Capt. *Noyes* from the Committee for Petitions, made Report, on the several Petitions after named, which were accepted by the House, and the following Orders agreeable there-unto passed thereon. *viz.*

The Petition of the Town of *Truro*, praying as entred the 4th Currant.

Ordered, That the Petitioners Serve the Inhabitants of the Precinct at *Cape Cod*, or the Principal of them, with a Copy of this Petition, That they may shew Reason, if any they have, why the prayer thereof should not be Granted, on the first Tuesday of the next Session of this Court. And also, why they do not Enter-

tain a Learned Orthodox Minister of the Gospel, to dispense the Word of God to them, as they are Directed, by an Act of this Court, made the last Year for that end.

Sent up for Concurrence.

The Petition of the Inhabitants of the Town of *Brookfield*, praying as entred the *7th* Currant.

Ordered, That for Seven Years next coming all Town Assessments, in *Brookfield* be Raised on Polls, as the Law directs, and on the Real Estates of the Non-Resident as well as the Resident, Proprietors exclusive of Personal Estate, which the Committee for Setling the said Town, are hereby Directed and fully Impowred to Levy and Collect accordingly; so long as they shall be continued by this Court.

And to take care the Town be Setled in the most regular, compact, and defensible manner that may be. Sent up for Concurrence.

The Petition of the Committee for Setling the Town of *Northfield*, praying as entred the *7th* Currant.

Ordered, That the Order of this Court, passed at their Session in *Febr. Anno* 1713. for Settlement of the Town of *Northfield*, be further continued for three Years more. That the Committee be Directed to Setle the Town in the most regular, and defensible manner that may be. That all Town Taxes in *Northfield* for the Space of Five Years next coming, be Rais'd on Polls as the Law directs, and on the Lands that are or shall be Divided, or Allotted out; and that where a General, or Common Field, or Fields, is agreed upon to be Fenced in for Improvement, The Proprietors of the Inclosed Land shall Pay their just Proportion towards the charge of Making and Maintaining the Fence, whether they Improve their Land or no; and if any such Proprietors are out of the Province, and cannot be come at by Law to Pay their just Proportion of such charge, then their inclosed Lands, shall stand chargeable there-with until it is paid. Sent up for Concurrence.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Veneris 10 die Junii 1715.

A Copy of the Sermon, Preached by the Reverend Mr. *Jeremiah Shepard* on the last day of the Election of Councellors, laid before the House by the Committee appointed to procure the same.

Ordered, That Mr. *William Paine*, and Mr. *Cooke* be a Committee, to agree for the Printing thereof, at the most reasonable Rate they can, and to Reserve One of the Books for each of the Members of this Court, and of the Ministers of the several Towns, and to present the Author with Thirty.

A Petition of *Thomas Fitch*, *Oliver Noyes*, *Nathanael Cary*, *Charles Chambers*, and *Samuel Greenwood*, a Committee appointed by this Court, to provide Sundry necessaries for the Train of Artillery, *&c.* Directed by Her late Majesty, to be here

provided, for the Expedition against *Canada*, *Anno* 1711. And for the Sums they advanced in that Service, They received Bills of Exchange Drawn by His Excellency [20] the Governour, upon the Lord High Treasurer of *Great Britain*, none of which nor any part of the said Bills have been yet paid. And the Petitioners had the Loan of 3812 *l.* 8 *s.* 7 *d.* Granted to them in Bills of Publick Credit out of the Publick Treasury; in consideration of their being in Advance in, and for that Service, and which they are oblig'd to Pay into the Treasury in *July* next; presented to the House & Read, pray the continuance of the said Loan for One Year more.

Ordered, That the prayer of the said Petition be granted.

Sent up for Concurrence.

A Petition of *Nathanael Henchman* of *Boston* Merchant, presented to the House and Read, shewing, That he Received of the Ten Thousand pounds Loan of Province Bills, *Anno* 1711. the Sum of Fourteen Hundred pounds, which he disbursed to pay off Transports, that were taken up on Her Majesty's Accompt in the Expedition to *Canada*, *Anno* 1711. and took Bills of Exchange on the Lord High Treasurer of *Great Britain* for the same, to the Sum of 996. *l.* 18 *s.* 8 *d.* Sterling, payable at 30 days sight: But no part of the said Bills is yet paid, and praying the continuation of the Loan of the said Fourteen Hundred pounds for One Year more.

Ordered, That the prayer of the Petition be Granted. Sent up for Concurrence.

A Petition of *Thomas Patch* and Four more Inhabitants of the Town of *Wenham*, presented to the House & Read, Complaining that those who were Select-men of the said Town the last Year, did in an unjust manner Draw Money out of the Treasury of the said Town, & praying this Court to take Cognizance of, & Redress the wrong.

Ordered, That the Petitioners forth-with Serve *Samuel Kemball*, *John Porter*, *William Rogers*, and *Caleb Kemball*, who were Select-men of *Wenham* the last Year, and *Samuel Porter*, that was then Constable, with a Copy of this Petition, and direction to appear before this Court on Friday the 17*th* Currant, to answer the Complaint thereof. Sent up for Concurrence.

A Petition of *Francis Allen* of the Town of *Kittery*, presented to the House and Read, Shewing that before *Berwick* was set off, a Separate Township from the Town of *Kittery*, he agreed with *Kittery* for Twelve pounds *per* Year, to Maintain *Thomas Younglove* a blind impotent Man of that Town; but that since *Berwick* has been made a Separate Township, *Kittery* Refuses to pay him: And that he can obtain no Remedy by the Law, the Justices of the Inferiour Court being Inhabitants of *Kittery;* praying Remedy from this Court. Committed.

A Bill Intituled, *An Act for the Reviving & Continuing an Act for the Raising an Excise upon Wines, Liquors, and other Strong Drink, Sold by Retail*, Read a 2d time.

A Bill Intituled, *An Act for the more convenient & equal Raising of Money for Defreying of the charges arising in each respective County, within this Province.* Read a 2d time.

A Bill Intituled, *An Act for Reviving & further Continuing several Rates & Duties of Impost & Tunnage of Shipping*, &c. Read a 2d. time.

A Bill Intituled, *An Act for the better Preserving, Increasing & Securing Naval Stores, particularly, Tar, Turpentine & Roxin, within this Province.* Read a 2d time.

A Message from the Board, That Mr. Speaker & the House now come up to the Council Chamber to attend the Hearing appointed this Day, upon the Petition of the Southwesterly Precinct in the Town of *Ipswich.*

Which was forth-with done & the Hearing being finished, Mr. Speaker and the House returned to their own Chamber.

Post Meridiem.

A Petition of Sundry Inhabitants of the Town of *Dorchester*, living Westward of *Milton*, including *Puncapaog* Plantation, presented to the House and Read, praying, That they may be Constituted a Township, for the better Support of the Gospel Ministry according to the Bounds they mention, *&c.*

And the Question being put, Whether the prayer of the Petition be Granted?

It pass'd in the Negative. [21]

The Petition of *Francis Allen*, praying as entred this Day, further considered, & the Report of the Committee thereon, which was accepted by the House, & accordingly,

Ordered, That the Town of *Berwick* pay the same Proportion of the Twelve pounds mentioned in the Petition, during the time of the Impotent Man's necessities, That they paid in the last Town-Rates, when they were part of the Town of *Kittery*. Sent up for Concurrence.

A Petition of *William Dudley*, in behalf of the Proprietors of the Town of *Rutland*, presented to the House & Read, praying, That the Plat they formerly laid before this Court to be confirmed as the laying out of the said Township, may be now confirmed, for Reasons therein mentioned. Committed.

A Plat of 143 Acres of Land, laid out by *John Gardner* Surveyor, imployed by *John Higginson* Esq; as part of his Right of 460 Acres, the said Surveyor, and those that carried the Chain in Measuring the Land being Sworn; presented to the House for Approbation: And the follwing Vote pass'd thereon, *viz.*

This Plat laid before the House and Inspected by them.

Ordered, That the Land, therein Described & Platted, be confirmed to *John Higginson* Esq; provided, It doth not Intrench on any former Grant.

Sent up for Concurrence.

An Accompt of *Robert Ellis* Surgeon his Administration to Serjeant *Daniel Tucker*, for the cure of a Gun-shot Wound in his Body, which he received in the Service against the Indian Enemy, *Anno* 1711. from *Aug.* 16. 1713. to *May* 25*th* 1715. further considered, and

Resolved, That the Sum of Thirty-five pounds be allowed & paid out of the Publick Treasury to Dr. *Robert Ellis* the Accomptant, for his Service, *&c.* mentioned in his Bill. Sent up for Concurrence.

A Petition of *John Campbell*, praying, That he may be Allowed the Sum of 35 *l.* 3 *s.* 3 *d.* due for the Postage of Publick Letters. Sent down from the Board having been Read there. Read and Committed.

And a Representation of the said *John Campbell*, shewing Reasons to Induce the Publick to assist him in the Printing his Weekly News-Letter. Read & Committed.

Ordered, That Col. *Winthrop*, Mr. *William Paine*, and Mr. *Jonathan Remington*, be a Committee to prepare and lay before the House a Draught of a Bill, to lay the like Duty on the Trade of the Province of *New-Hampshire*, to this Province, that the Government there have laid upon the Trade of this Province.

A Message from the Board, That Mr. Speaker and the House, now come up to the Council Chamber, to attend a Hearing upon the Petition of *Joseph Brown*, and Others, Inhabitants of the East and West Precincts in the Town of *Newbury;* which was forth-with done, and the Hearing being finish'd, Mr. Speaker and the House return'd to their own Chamber.

A Petition of *George Momeusque* Indian, praying, That he may have Liberty to Sell a Tract of Land belonging to him, which adjoyns to the Southern Line of the Town of *Worcester*. And a Petition of the Inhabitants of the Town of *Worcester*, praying, That they may have Liberty to Purchase the said Land of the said Indian. Were both severally presented to the House and Read.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Sabbati 11 die Junii 1715.

A Petition of *John Higginson* jun. and *Nathanael Higginson* of *Salem*, presented to the House and Read, praying, That they may be Allowed to lay out a New Farm of Seven Hundred Acres, formerly Granted to the Reverend Mr. *John Higginson*, and laid out by a Pond called *Haverhill Bound Pond*, the Marks then made being mostly Effac'd, and not to be found. [22]

Ordered, That the prayer of the Petition be granted, and that the Plat be taken by a skilful Surveyor, and Chain-men under Oath, (to be so certified thereon) and return'd to this Court for confirmation. Sent up for Concurrence.

Mr. *Seth Sweetsor*, who was Imployed as the Messenger of the House, made Return, That he had Summoned Mr. Justice *Woodbrigde*, and Under-Sheriff

Coker, to appear before the House, & produc'd a Letter from Mr. *Woodbridge*, to Mr. Speaker and the House, which was Read, excusing his not appearing by Reason of his own and his Families Sickness; and intreating that his Error in Issuing forth a Writt against Capt. *Stevens* may be Over-look'd, inasmuch as he was Ignorant of his being a Member of this Honourable House.

Mr. Under-Sheriff *Coker* appear'd before the House and begg'd pardon of the House for his Error & Offence, in Serving a Writ upon Capt. *Stevens*, One of the Honourable Members thereof: And affirm'd that he knew him not to be a Representative, when he Served the Writ.

Mr. *Coker* was Ordered to with-draw a while.

It not appearing to the House, That Mr. Under-Sheriff *Coker*, did know that Capt. *Stevens* was a Member of this House when he Arrested him.

Ordered, That the said Mr. *Coker* be dismiss'd. Mr. *Coker* was accordingly call'd in and dismiss'd.

A further Report of *Stephen Frances*, *Josiah Converse*, and *John Ware*, a Committee sent by this Court in *June* 1701. to Settle the Line between the Town of *Sherborn* and *Framingham*; and to Determine who should bear the charge: Having formerly made Report as to the Line, now Determine as to the charge of the Committee, That one third part thereof be paid by the Town of *Sherborn*, the Other two thirds by the Town of *Framingham*, each of the Committee having been Seven days upon that Service.

Ordered, That the said Report be Accepted, and that the said Committee be paid accordingly Four Shillings *per* day to each of them for the time of their Service.

Sent up for Concurrence.

And then the House Adjourn'd till Monday next Three a Clock afternoon.

Lunæ 13 die Junii 1715.

THe Bill Intituled, *An Act for the better Preserving, Increasing & Securing Naval Stores, particularly, Tar, Turpentine & Rozin, within this Province.* Read a 3d time.

Resolved, That the Bill do pass to be Engross'd. Sent up for Concurrence.

The Proprietors of the Town of *Rutland* having Represented to this House, that the Direction given by this Court at their last Session, for the laying out the said Township contiguous to the Town of *Lancester* (which was then so Ordered to preserve a Regular Face to the Frontiers, and not leave a slip of Land between the said Towns too small for a Township) will remove them in some measure from the Lands they had purchased of the Natives.

And having Propos'd and Petition'd, That the Form & Place of their Township, may be as Discrib'd in this Plat, which will help the said Inconveniencies.

Ordered, That the said Proprietors be Directed to Protract, and lay out their Grant of Land for a Township, named as abovesaid, agreeable to the Plat above Delineated, by a Surveyor and Chain-men under Oath (to be so returned on the Plat) Reserving & Laying out for this Province, One Thousand Acres of Land, in the Angle between *Worcester* and *Lecicester*, in a figure as near a Square as they can, and lay the Plat so taken before this Court for Confirmation.

Sent up for Concurrence.

The Bill Intituled, *An Act for the more Convenient & equal Raising of Money for Defreying of the charges arising in each respective County within this Province.*

Read a 3d. time, and [23]

Resolved, That the said Bill do pass to be Engross'd. Sent up for Concurrence.

A Message from the Board, that Mr. Speaker and the House now come up to the Council Chamber, to attend the Hearing appointed to be this day, upon the Petition of *Jonathan Hastings*, between him & *Job Bull*; which was forth-with done. And the Parties being fully heard, with-drew; and Mr. Speaker, and the House Return'd to their own Chamber.

The Vote of this House pass'd the *7th* of this Instant *June*, respecting the Setling of the *Eastern Parts* of this Province.: Sent down from the Board, pass'd upon there, *viz.* In Council *June* 10*th* 1715. Read and Concurr'd. And by His Excellency the Governour, *viz.* At the Desire of the Council and Representatives, I shall give the Warrants to Draw out Nineteen Men, and an Ensign from *Casco Fort* for *Arrowsick*. And shall also raise Fifteen Men, for *Brunswick*, with a Commission Officer for the Service projected; But cannot at present see Reason to Demolish the Fortification at *Casco*, until His Majesty's pleasure be known therein. *J. DUDLEY.*

The Precept sent to *Plymouth*; Return'd Major *John Bradford* chosen their Representative: who appeared.

A Petition of *Jeremiah Dummer* and Thirty Others, Merchants, *&c.* to whom this Court Lent of the Publick Bills of Credit, in the Year 1711. to enable them, to Supply the *British Troops*, then designing an Expedition against *Canada*, for which Supplies they received of the Governour & Admiral of the said Expedition Bills of Exchange on the Lord High Treasurer of *Great Britain*; presented to the House and Read: Shewing, That as yet no more than two thirds of the Bills of Exchange are paid, and that with great Disadvantage: Praying, That one third part of the said Bills of Credit that are out-standing in their hands, may be Lent to them for One Year more.

Ordered, That the prayer of the Petition be Granted; and that the Bills out-standing in the Petitioners hands, and those a-like concerned be Lent to them for One Year more. And that the Committee that this Court Imployed to lend out the Bills, and take Security for the Re-payment, be Reviewed & Impowred, to Review and Consider the Bonds, and Security given for the same, as well those on

which the after Ten Thousand pounds Loan was issued, as those which this Petition refers to; and that such of the Bonds wherein any of the Obligors are Dead, Removed out of the Province, or by adverse Providence considerably Impaired, in Estate, or wherein the Security Refuse to continue so, be Sued out when due; unless other and further sufficient Security, be given to the Satisfaction of the Committee, the Obligors to pay the Committee for their trouble.

Sent up for Concurrence.

A Bill Intituled, *An Act in Addition to the Act for Granting unto His Majesty several Rates & Duties of Impost, and Tunnage of Shipping.* Read a first time.

A Petition of *Andrew* and *Jonathan Belcher* of *Boston*, Merchants; presented to the House and Read, praying, That Fourteen Hundred pounds part of the Sum Lent to them in Bills of Credit, out of the Publick Treasury, *Anno* 1711. to Assist them to furnish Stores to General *Hill*, and Admiral *Walker*, for the Army & Fleet under their Command, bound on the Expedition to *Canada* : May be Lent to them for Four Years more to come, for Reasons therein Alledged.

Ordered, That the prayer of this Petition be so far Granted, That the said Fourteen Hundred pounds be Lent to the Petitioners, for One Year more.

Sent up for Concurrence.

The Vote of this House pass'd the 2d Instant for *Post-poning* the payment of Eleven Thousand pounds, part of Twenty-two Thousand pounds, granted to be Levyed this Session. Sent down from the Board again, pass'd on there, *viz.* In Council *June* 13*th* 1715. put to the Question, Whether the Council do depart from their Vote of Non-concurrence within mentioned, on *June* 4*th* Currant?

Pass'd in the Negative. Read.

And then the House Adjourn'd till to Morrow Morning Nine a Clock. [24]

Martis 14 die Junii 1715.

THe Vote of this House pass'd the 31 of *May* last, for Ascerting the Right of this Province to *Piscataqua River*: Sent down from the Board, pass'd upon there, *viz.* In Council *June* 1. 1715. Read & Concurr'd. And by His Excellency the Governour, *viz.* I agree to this Vote and the Establishment of a Naval Officer at *Kittery*, so soon as the Breast-work for Six Guns Voted, shall be built, and the Guns Mounted. *J. DUDLEY.*

Major *John Bradford* Returned Representative of the Town of *Plymouth*, was sent up to the Board to take the Oaths, *&c.*

THis House having at diverse times for several Years past, Voted the Fort or Trading-house at *Casco Bay*, to be of little or no Service as a Barrier to our Frontiers, a Bridle to the Indian Enemy, or Security to the Fishery, and therefore of no Publick Benefit. And this House with the Honourable Board (as by their

Votes of the *7th* & *10th* Instant) having offered to His Excellency as their Opinion, That it is for His Majesty's Service, That the Fort at *Casco Bay* be slighted, and no longer continued, and that a Stone Fort near *Pejepscot* Falls be Repaired in stead thereof, as more conveniently Situated for Covering the New intended Settlements and keeping the Indians, from their Fishery in case of a Rupture. And His Excellency having signified under his Hand, That he cannot at present see Reason to Demolish the Fortification at *Casco*, until His Majesty's pleasure be known therein.

And forasmuch as the Charter Granted to the Inhabitants of this Province, by their late Majesty's King *William* and Queen *Mary* of Glorious Memory, Doth give full Power to the Governour, for the time being, at his pleasure to Demolish Forts and Fortifications.

Voted, That no more Money be drawn out of the Publick Treasury, for the Subsisting and Paying any Officers, or Souldiers at the Fort at *Casco*, after the First Day of *September* next.

And that a Copy of this Vote be sent to Mr. Treasurer, for his future Direction.

Sent up for Concurrence.

A Petition of *William Maccarty* Administrator of the Estate of his late Father *Florence Maccarty* of *Boston*, deceas'd, presented to the House and Read, praying, That a Deed of Gift, wherein *Joseph Nowell* conveyed his Real Estate to his Wife, which was forgotten to be mention'd in the Hearing that has been upon *Coomes* his Petition, may be now receiv'd, and have its consideration in the Proceeding of this Court upon the said Petition.

The Copy of the said Deed, and *Coomes*, his answer to the said Petition of *William Maccarty*, Read & sent up.

The Bill Intituled, *An Act in Addititiion to the Act for Granting unto His Majesty several Rates & Duties of Impost, and Tunnage of Shipping*. Read a 2d time.

The Vote of the Board, upon the Vote of this House of the 2d Currant, for *Postponing* the Raising of *Eleven Thousand Pounds* of the Tax to be Levyed this Session, entred Yesterday, Read again and further Considered, and Debated.

Ordered, That the House Adhere to their Vote aforesaid, as first passed.

Sent up.

Ordered, That Mr. *Elisha Cooke*, Mr. *Samuel Clap*, Col. *Adam Winthrop*, Col. *Samuel Thaxter*, and Capt. *Francis Fulham*, with such as the Honourable Board shall joyn, be a Committee to prepare the Draught of a Bill, for Settling and Quieting the Titles of the Lands, that are to the *Eastward* of *Piscataqua* River, pursuant to the Vote of this Court this Session. Sent up for Concurrence.

Ordered, That Mr. *William Paine*, Col. *Samuel Thaxter*, and Col. *Adam Winthrop*, with such as the Honourable Board shall joyn, be a Committee to Build a Light House, at the Entrance of the Harbour of *Boston*, pursuant to the Votes of this Court. Sent up for Concurrence. [25]

An Engross'd Bill Intituled, *An Act for Altering the time for Holding the Courts of General Sessions of the Peace, and Inferiour Court of Common Pleas within the County of* Barnstable. Read and

Resolved, That the Bill do pass to be Enacted. Sent up.

An Engross'd Bill Intituled, *An Act against Burglary*. Read and

Resolved, That the Bill do pass to be Enacted. Sent up.

A Message sent up to the Board, Desiring them now to joyn with the House in the choice of a Treasurer, for the Province.

Ordered, That Mr. *Denison*, and Mr. *William Paine*, carry up the Votes of the House for a Treasurer, and assist in Sorting & Numbering them, with the Votes of the Board, and Report the choice.

The Votes of the House being prepared & collected, the Members afore-named carryed them up to the Board, and Returned that Mr. *Jeremiah Allen* was chosen Treasurer for the Year ensuing, by a Unanimous Vote of both Houses.

A Message sent up to the Board, That the House are now preparing their Votes for an Impost Officer, Desiring they will do the same.

The Votes of the House being prepared & collected, were sent up by Col. *Winthrop* and Mr. *Denison*. Who Return'd & Reported that Mr. *Daniel Russell* was chosen Impost Officer for the Year ensuing, by a major part of the Voters.

A Message sent up to the Board, That the House are now ready to proceed to the choice of an Attorney General, Desiring them to joyn in the choice of that Officer.

Voted, That the Line between this Province and the Colony of *Rhode-Island*, as by agreement between Commissioners, for both Governments met at *Roxbury* on *January* 19*th* 1710, 11. and begun to be Investigated on the 23d of *April* following, according to said agreement from the Stake set up by —— *Woodward* and *Saffery*, be finished. And the former Committee for this Province be Revived and fully Impowered, to perfect said Line, giving timely Notice to the Committee or Government of *Rhode-Island* of the time and place of their Meeting; and upon their Refusing or Neglecting, The Committee for this Province be directed to proceed & perfect the Line according to the aforesaid agreement now on Record.

Sent up for Concurrence.

Ordered, That a further Message be sent up to the Board, that the House are preparing their Votes, for an Attorney General, and Desire they would joyn with them in that choice.

The Members that carried up the said Message, Return'd answer, That the Council said they had been busied in other affairs, and had not yet considered of that Motion.

A Bill Intituled, *An Act for the more safe keeping the Registry of Deeds, and Conveyances of Lands*. Read a first time.

A Bill Intituled, *An Act in Addition to the Act for Regulating Fees*. Read a 1st time.

Post Meridiem.

The Accompts of *Jeremiah Dummer* Esq; Treasurer of the County of *Suffolk*, for the Years 1713. & 1714. Presented to the House. Read and Allowed.
Sent up for Concurrence.

The Accompts of *Nathanael Paine* Esq; Treasurer of the County of *Bristol*, of the Year 1713. & 1714. Presented to the House. Read and Allowed.
Sent up for Concurrence.

The Accompts of *John Otis* Esq; Treasurer of the County of *Barnstable*, of the last Year. Presented to the House. Read and Allowed. Sent up for Concurrence.

The Accompts of *Daniel Russell* Treasurer of the County of *Middlesex*, of the Years 1711, 1712, 1713. & 1714. Presented to the House. Read and Allowed.
Sent up for Concurrence.

A Petition of *Peter Roe*, *John Kent*, *James Younglove* & *Jacob Adams*, jun. Select- [26]men of the Town of *Suffield*, Shewing, That the Town are in great Confusion by reason of Differences about the choice of their Town Officers, as set forth in the Petition, praying Remedy from this Court. Sent down from the Board, pass'd upon there, *viz.* In Council *June* 11. 1715. Read & Ordered, That the Justices of *West Hampshire*, appoint an extraordinary Session at *Suffield*, and Command a Town Meeting to be Summoned there; and upon Reading the Papers & Proof of the Allegations therein, That they Establish the Select-men chosen according to the usual Custom of the Town for Ten Years past, to proceed in the business of the Town for this Year: but that for the future they proceed according to the Direction of the Law. Sent down for Concurrence.
Read and not Concurr'd, and

Ordered, That the Inhabitants of the Town of *Suffield* be Ordered to Meet the first Monday in *July* next, and then to chuse all Town Officers to Serve for the Remainder of the Year; and that the Select-men of the last Year be Directed & Impowered to give the Inhabitants Notice to Convene together according to the Order of this Court. Sent up for Concurrence.

A Message from the Board, That they are still of Opinion, That the half of the Tax, Granted to be Levied this Session can't be *Post-pon'd*, since it is so Granted by an Act of this Court, under the Seal of the Province, and so return'd to *Whitehall*; and mov'd the House to proceed to Levy the whole Tax, except what Abatement may be made upon account of the Funds for drawing in the Bills, exceeding the Sum of the Bills out-standing.

The Petition of *John Campbell*, Deputy Post-Master General of *New-England*, praying as entered the 10*th* Currant, further considered, and the Report of the Committee thereon, which was accepted by the House, and accordingly,

Resolved, That the Sum of Twenty-five pounds three Shillings and three pence,

be allowed and paid out of the Publick Treasury to Mr. *John Campbell*, in full of his Accompt of Postage of Publick Letters, to the 3 d Currant.

Sent up for Concurrence.

A Petition of *Samuel Sewall* in the Name & behalf of the Trustees, of Governour *Hopkins* his Legacy, presented to the House and Read, praying, That leave may be given to the said Trustees to Purchase of the *Natick Indians*, a certain Tract of Land belonging to them, called *Maguncoog*, which they would do with the said Legacy, Designing to commit the purchase-consideration to Trustees, to be Improved for the benefit of the said Indians, in their more regular Settlement, & civil Cohabitation, *&c.*

Committed.

The Plat of Five Hundred Acres of Land, laid out for *Richard Hollingsworth*'s Grant, which was accepted & confirm'd the *4th* day of last *Novemb.* & sent up to the Board for Concurrence: not being pass'd upon there, but mislaid & not to be found.

Another Plat of the same Dimensions, presented to the House, and the same Vote pass'd thereon as on the former, *viz.*

A Plat of Five Hundred Acres of Land laid out by *William Ward* Surveyor, offered by Mr. *Samuel Prince* for Confirmation.

Ordered, That the Plat on the other side be allowed and confirmed as the Five Hundred Acres of Land Granted by this Court to *Richard Hollingsworth, Anno* 1673. If that Grant has not been laid out aforesaid, and this Plat does not interfere with any prior Grant. Sent up for Concurrence.

Whereas this House have Credible Intelligence that His Excellency Col. Elizeus Burgess *is Commissioned by His Majesty to be Governour of this His Majesty's Province, and may in a few Weeks be Expected to Arrive here.*

Ordered, That Mr. Speaker, the Representatives of the Town of *Boston*, and Col. *Thaxter*, be a Committee to provide a suitable Place for His Excellency's present Reception, and Entertainment when he shall Arrive, and to Invite him thereto; and Compliment His Excellency in the Name of this House upon his safe Arrival. [27]

A Petition of *Zebediah Wheeler*, *Richard Whitney*, and *Stephen Farr*, in behalf of the Town of *Stow*, presented to the House and Read, praying this Court to give Order for the Running and Setling of the Line between the said Town & the Town of *Concord*, which the said Towns cannot agree in amongst themselves.

In answer to the said Petition.

Ordered, That Capt. *Josiah Converse*, Mr. *John Sternes*, and Mr. *John Houghton*, be a Committee to Investigate & Settle the Bound Marks between the Towns of *Stow* and *Concord* (if the said Towns do not agree therein themselves by the last Day of *Novemb.* next) and make Report to this Court of their doings, and of their Opinion by whom of Right the charge of the said Committee ought to be born.

Sent up for Concurrence.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Mercurii 15 die Junii 1715.

A Proposal of his Honour the Lieut. Governour *Tailer*, Commander of His Majesty's Castle *William*, was presented to the House and Read, Moving that a Coat and pair of Breeches, of Fifteen Shillings value lying in the Publick Stores, may be given to each of the Inlisted Souldiers, at the said Castle, for Reasons therein Assigned.

Ordered, That the Allowance proposed by his Honour the Lieut. Governour of a Coat and pair of Breeches, to each One of the Inlisted Souldiers at Castle *William* be Granted. Sent up for Concurrence.

The Petition of *Samuel Sewall*, praying as entred Yesterday, Read again, and the Report of the Committee thereon, which was accepted by the House, & accordingly,

Ordered, That the prayer of the Petition be Granted, the Pious Intention proposed therein being very acceptable to this Court. Sent up for Concurrence.

An Account of the several Dayes that each of the Honourable Gentlemen of the Council, gave their Attendance, to Exercise the Power of the Governour & Council, when the General Court was not Sitting, from the 10th *Day of* July 1701. *to the* 11th *Day of* June 1702. *which was from the Death of Lieut. Governour* Stoughton, *to the Arrival of His Excellency Governour* Dudley. Read and

Resolved, That *Five Shillings per* Day be Allowed and Paid out of the Publick Treasury for each Day the Gentlemen of the Honourable Council attended to Exercise the Power of the Governour and Council, as on the other side, to each One of them, (or such who legally Represent them) the Sum annexed to their Name; The whole Amounting to the Sum of *Two Hundred Thirty-five Pounds* and *Five Shillings*.

Sent up for Concurrence.

An Account of the several Dayes, that each of the Honourable Gentlemen of the Council, gave their Attendance, to Exercise the Governour & Councils Power, when the General Court was not Sitting, after the Expiration of Six Months, from the Demise of Queen ANNE, *till the Arrival of His Majesty's Proclamation for the Continuance of Officers*, viz. *from* Feb. 4*th. to* March 21. 1714. Read and

Resolved, That *Five Shillings per* Day be Allowed and Paid out of the Publick Treasury for each Day the Gentlemen of the Honourable Council Attended to Exercise the Power of the Governour and Council, as on the other side, to each One of them (or such who legally Represent them) the Sum annexed to their Name; The whole Amounting to the Sum of *Fifty Eight Pounds* and *Five Shillings*.

Sent up for Concurrence.

The Bill Intituled, *An Act for the more safe keeping the Registry of Deeds, and Conveyances of Lands*. Read a 2d & a 3 time.

Resolved, That the Bill do pass to be Engross'd. Sent up for Concurrence. [28]

A Plat of Three Hundred Acres of Land laid out by *John Gardner* Surveyor, under Oath, and the Chain-men under Oath, on *June* 7th 1715. being a Grant formerly made to Marshal General *Mitchelson*, presented to the House for Confirmation.

Ordered, That the Plat on the other side be Allowed & Confirmed, as the Three Hundred Acres of Land formerly Granted to Marshal General *Edward Mitchelson*, provided it Intrench upon no prior Grant. Sent up for Concurrence.

A Plat of Three Hundred and Seventeen Acres, and Sixty Poles of Land taken by *John Gardner* Surveyor, and Chain-men under Oath, and offered as the remaining Part of the Right of *John Higginson* Esq; (the whole being Four Hundred & Sixty Acres) presented to the House for Allowance.

And the following Vote pass'd thereon, *viz.*

This Plat being laid before the House and Inspected.

Ordered, That the Land therein Described and Platted, be Confirmed to the Honourable *John Higginson* Esq; Provided it Intrench upon no prior Grant.

Sent up for Concurrence.

Post Meridiem.

The Petition of *John Whipple* and *Mathew Whipple*, praying as entred the first Currant, upon which a Hearing has been this Session, sent down from the Board, pass'd upon there, *viz.* In Council *June* 14th 1715. Ordered, That the consideration of this Petition be deferr'd till next *October* Session; and that in the mean time the Petitioners make their Application to the Town of *Ipswich*, [*for relief in the Premisses.*] Sent down for Concurrence.

Read and Concurr'd with this amendment, *viz.* The words [*for relief in the Premisses*] to be left out, and the following words to be added, *viz.* And joyn with them in Settling the Partition Line between them; That a further consideration of this Petition may then be had.

A Message from the Board, That the Council have considered the Motion of this House to proceed to the choice of an Attorney General.

And do not see cause to agree to it.

Ordered, That Capt. *Noyes*, Mr. *Cooke*, Capt. *Chambers*, Capt. *Cawley*, Major *Bradford*, Mr. *Samuel Clap*, and Capt. *Osgood*, Go up to the Council, and Desire, If it may be that this House may know the reasons that Induce that Honourable Board to Refuse joyning with them in the choice of that Officer, which the House Esteem to be a Privilege belonging to this Court.

Who Return'd, That they had Delivered the Message but received no answer.

A Draught of a Letter from His Excellency the Governour in the Name of this Court, to the Governours of the Neighbouring Governments, Intimating the great Mischief that may probably accrue to these His Majesty's Provinces, by

permitting the Indian Captives from *Carolina*, to be Imported, and Sold amongst them; which is therefore by a Law strictly forbidden in this Province. Read & Approved, and sent up again with a Message, That His Excellency be desired to Write to the said Governours that some Persons may be appointed here to Exchange the Torn and Unserviceable Bills of those Governments.

A Petition of *William Spooner*, *Jabez Delano*, and *Caleb Blackwell*, in behalf of themselves and Others the Inhabitants of the Town of *Dartmouth*, presented to the House and Read, praying that *Twenty Pounds* may be Allowed out of the Publick Treasury towards the Maintenance of their Minister for this Year, for Reasons therein alledged.

Resolved, That the Sum of *Twenty Pounds* be Allowed and Paid out of the Publick Treasury, towards the Maintenance of the Ministry in the Town of *Dartmouth*, for the Year ensuing. Sent up for Concurrence. [29]

A Message from the Board, Moving that the Salary for the Treasurer's Service the last Year be Granted; he being unwilling to be Sworn in order to the Service of another Year, until that is done.

A Petition of *Henry Bridgham* of *Boston* Guardian of *Sarah*, and *Esther Maccarty* Daughters and Co-heirs of *Florence Maccarty*, late of *Boston*, deceas'd, Intestate, presented to the House and Read, praying, That he may be enabled to make Sale of the Real Estate Divided & Assigned to the said Minors, for Reasons therein alledged.

Committed.

Ordered, That the House now proceed to Apportion to the several Towns of the Province, the Sums they are to Pay in a Tax of the Eleven Thousand Pounds.

The House proceeded to Vote the Sum which each Town in the County of *Suffolk* should pay in the Tax afore-mentioned, each Town being consider'd, and their Sum Voted separately, Opportunity being first given to the respective Representatives to inform the House of the State and Circumstances of their Town, and wherein they differ from what they were the last Year.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Jovis 16 die Junii 1715.

THe House proceeded to Vote the Sum which each of the Towns in the Counties of *Essex*, *Middlesex*, and *Hampshire*, should pay in a Tax of Eleven Thousand Pounds, in manner as aforesaid.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Veneris 17 die Junii 1715.

A Bill Intituled, *An Act for Building and Maintaining a Light-house upon the Great Brewster*, called *Beacon Island*, at the Entrance of the Harbour of *Boston*. Read a first time.

The Petition of *Henry Bridgham*, praying as entred the 15*th* Currant, further considered, and the Report of the Committee thereon, which was accepted by the House, and accordingly,

Ordered, That the prayer of the said Petition be Granted.

Sent up for Concurrence.

A Bill Intituled, *An Act, in Addition to the Act for Granting unto His Majesty several Rates & Duties of Impost, and Tunnage of Shipping*. Read a 3d time, and

Resolved, That the Bill do pass to be Engross'd. Sent up for Concurrence.

The House proceeded to Vote the Sum which each of the Towns in the Counties of *Plymouth*, *Barnstable*, *Bristol*, *York*, *Dukes County*, and *Nantucket*, should Pay in a Tax of Eleven Thousand Pounds, in manner as afore expressed.

Post Meridiem.

A Message from the Board, That Mr. Speaker and the House do now come up to the Council Chamber, to attend the Hearing appointed this Day, upon the Petition of several Inhabitants of the Town of *Wenham*.

Which was forthwith done, and Mr. Speaker and the House return'd to their own Chamber.

A Petition of *Wigglesworth Sweetser*, and *Ursilla* his Wife of *Boston*, presented to the House and Read, praying, That a Surveyor may be appointed to lay out Three Hundred Acres of Land for them, which this Court allowed the last Year, to be their Right. [30]

Ordered, That the Petitioner may Imploy a skilful Surveyor with Chain-men under Oath, to lay out the said Three Hundred Acres of Land, and present a Plat thereof to this Court for confirmation. Sent up for Concurrence.

A Petition of Mr. *James Taylor* late Treasurer of this Province, praying, That the Sum of Eighty-Eight Pounds, Thirteen Shillings, and Four Pence, of the Province Bills, belonging to the Treasury, which were Stolen out of his House in the last Year of his Service in that Office, may be paid to him out of the Publick Treasury. Sent down from the Board: Read and Recommended.

Read & Debated. And the Question being put, Whether the prayer of the said Petition be Granted? It pass'd in the Negative.

A Petition of *Thomas Patch*, &c. Select-men of the Town of *Wenham*, praying as entred the 10*th* Currant, upon which there has been a Hearing this Day. Sent down from the Board, pass'd upon there. *viz.* In Council *June* 17. 1715. *John Appleton*, *John Higginson*, *Thomas Noyes*, *Samuel Appleton*, and *John Burrill* Esqrs; Justices of the Peace in the County of *Essex*, are appointed to hold a special Session, in the Town of *Wenham*, some time in the Month of *July* next. If the Parties are not agreed before, (giving Notice of their coming) to Hear and Determine the Matter in Controversy, contained in the Petition and Papers, and to make Report

of their doings therein, to this Court the next Sessions; the Town to bear the charge. Sent down for Concurrence.

Read and Concurr'd, the Session to be some-time in *September*.

A Bill Intituled, *An Act in Addition to the Act of Limitation, for Quieting Possessions*. Read a first time.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Sabbati 18 die Junii 1715.

A Petition of *Ezekiel Bull* of *Rhode-Island*, Shewing, That in an Action against *Aaron Mellish*, which he brought by Appeal before the Superiour Court of Judicature lately holden at *Bristol*, he neglected to Seal his Reasons of Appeal, and there-upon his Action was dismist, and he is left without Remedy in the Law, and praying that a further Hearing may be Ordered to him. Sent down from the Board, pass'd upon there, *viz.* In Council, *June 16th* 1715. Read and Ordered, That a Hearing be had of the Action before the next Superiour Court to be holden at *Bristol*, the Petitioner to Serve the adverse Party with a Notification, so that he may have time to make his Defence.

Sent down for Concurrence. Read and Concurr'd.

The Bill Intituled, *An Act for Building & Maintaining a Light-house upon the Great Brewster called* Beacon Island, *at the entrance of the Harbour of* Boston. Read a 2d time.

The Bill Intituled, *An Act in Addition to the Act for Granting several Rates and Duties of Impost*, &c. Sent down from the Board with some Amendments, which were Read and Agreed to by the House: And the Bill sent up again.

The Bill Intituled, *An Act in Addition to the Act of Limitation, for Quieting of Possessions*. Read a second time; and a third time.

Resolved, That the Bill do pass to be Engross'd. Sent up for Concurrence.

A Plat of Five Hundred Acres of Land laid out by *John Chandler* Surveyor, and One of the Chain-men under Oath, as the first half of One Thousand Acres of Land, Granted to *John Pynchon* Esq; deceas'd, *Anno* 1659. to be laid out in two Places, lying near the West Bounds of the Town of *Brookfield*, Presented to the House for Confirmation. And the following Vote pass'd thereon. *viz.*

Ordered, That the Land Described and Platted on the other side, be Allowed and Confirmed as the first half of the Grant, made to *John Pynchon* Esq; deceas'd, *Anno* 1659. Provided it Intrench upon no prior Grant. Sent up for Concurrence. [31]

A Plat containing the Quantity of Eight Miles Square of Land, (Four Miles Square, belonging to the Indians of *Hassanamisca* being part thereof) Presented to the House for Allowance and Confirmation, by the Proprietors of the Township of *Sutton*. And the following Vote pass'd thereon. *viz.*

Ordered, That the Land Described and Platted on the other side, be Allowed, and Confirmed to the Proprietors of the Township of *Sutton*. Provided it Intrench upon no former Grant. Sent up for Concurrence.

The Petition of *Richard Coomes* and *Hephzibah* his Wife, upon which there has been a Hearing this Session. Sent down from the Board, for this House to proceed upon first. Read and Committed, and

Ordered, That Mr. *Cooke* be joyned with the Committee for Petitions in the Consideration of the said Petition.

The Petition of *Mary Cole*, praying as entred the *7th* Instant. Sent down from the Board, pass'd upon there, *viz.* In Council *June* 16. 1715. Read and Referr'd to the Superiour Court. Sent down for Concurrence. Read & Concurr'd.

Capt. *Noyes* from the Committee for Petitions, made Report on the Petition of *Richard Coomes*, which was accepted by the House, and accordingly,

Voted, That the Petitioners ought to have the Equity of Redemption, in as much as the Mortgage made to *Florence Maccarty*, by *Joseph Newel* the Father of the Petitioners, was not Recorded until *April 7th* 1714. by reason whereof they were Defeated of the benefit of An Act Intituled, *An Act for Hearing and Determining of Cases in Equity*, Made and Pass'd in the Tenth of *William* the Third, *&c.*

And that they be Impowered to file a Bill for their Right, or Equity of Redemption in the next Court or Courts of Law, proper to hear the same.

Sent up for Concurrence.

The Bill Intituled, *An Act in Addition to the Act for Erecting a Powder-house in* Boston. Sent down from the Board Concurr'd, with some Amendments; to which they Desire the Concurrence of this House. Read & Concurr'd, and Sent up.

Ordered, That Mr. *Cooke*, Capt. *Noyce*, and Mr. *Epps*, Go up to the Council, and Acquaint them, *That Whereas this House have pressingly moved that Honourable Board to joyn with them in the Election of an Attorney General; which they had not seen cause to do. And Desired to be Informed of the Reasons that Inclin'd them to refuse joyning with the House in so great a Privilege; but had not been favour'd with an answer to that their Desire. This House therefore being still desirous to do all that is proper for them to Preserve the Privilege of that choice: Purpose to Proceed thereto on Monday next, and Repeat their Motion to the Board to joyn with them in it.*

The Petition of *Jonathan Hastings*, praying, as entred the *7th* Currant. Sent down from the Board, pass'd on there, *viz.* In Council *June* 18. 1715.

Ordered, That a Hearing be had of the said Actions at the next Superiour Court to be holden at *Cambridge*, for the County of *Middlesex;* as though the same properly lay before that Court by Appeal: The Petitioner to give the adverse Party timely Notice thereof. Sent down for Concurrence.

Read and Concurr'd.

A Message from the Board, Moving the House to bring forward the most necessary business of the Session, that the Court may Rise. And to Grant a Salary to the Treasurer, for his last Years Service: Who still declines being Sworn again to that Office, until it is done.

And then the House Adjourn'd till Monday next Three a Clock afternoon.[32]

Lunæ 20 die Junii 1715.

A Petition of the Heirs of Mr. *John Haynes* of *Sudbury*, praying as entred the 2d Currant, further considered, and

In Answer to the said Petition.

Ordered, That the Petitioners may take a Plat of the Land mention'd in their Petition by a Sworn Skilful Surveyor, and Chain-men under Oath, at their own charge, and lay it before this Court for confirmation.

Sent up for Concurrence.

A Petition of several Inhabitants of the Town of *Freetown*, presented to the House and Read, praying Assistance towards the Maintaining of a Ministry there.

Resolved, That the Sum of Twenty Pounds Allowed out of the Publick Treasury towards the Maintenance of the Ministry in the Town of *Freetown* the last Year, but not drawn out; they not being supplied with a Minister.

Be Allowed for that end in the Year Currant: provided they Procure, and Entertain a Minister this Year. Sent up for Concurrence.

A Bill Intituled, *An Act in Addition to the Act for Regulating Fees.*

Read a 2d time.

A Message sent to the Board, to Inquire whether His Excellency had consented to the whole of the Vote of this House, pass'd the *7th* Currant, and Concurr'd too by the Board, relating to the Settling of the *Eastern Parts* of this Province, excepting the clause concerning *Casco Fort?*

Answer was return'd, That His Excellency said, He did consent to all but that of slighting *Casco Fort.*

The House prepared their Votes for an Attorney General; and sent them up to the Board by Capt. *Noyes*, Mr. *Cooke*, and Mr. *Remington*, with a Message Desiring the Council to joyn with the House in the choice of that Officer, and to tender their Votes to be told at the Board: But if they declin'd it, to Acquaint them, That this House could not foregoe their Privilege, and therefore should think it proper to Examine their own Votes: And Report the choice made by them.

The said Members return'd, That the Board said, They had come to no Determination in the affair.

The House proceeded to Examine their Votes, and it was found that *Thomas Newton* Esq; was chosen by a major Part of the Voters.

And the Members last named went up again to the Board, and Reported the choice which was made.

The following Vote sent down from the Board, *viz.* In Council *June 20th* 1715. *Ordered*, That the Honourable *William Tailer* Esq; Lieut. Governour, *Wait Winthrop*, *Elisha Cooke*, *Elisha Hutchinson*, *Samuel Sewall*, & *Eliakim Hutchinson* Esqrs. be a Committee, with such as the Representatives shall joyn with them, to take Order for a Place for the Reception of the Governour, upon his Arrival, which is speedily to be Expected. Sent down for Concurrence. Read.

And then the House Adjourn'd till to Morrow Morning Nine a clock.

Martis 21 die Junii 1715.

A List of the Sums which the several Towns of the Province are Voted to Pay, in the Tax of Eleven Thousand Pounds. Read and

Ordered, That the several Towns Pay the Sums respectively annexed to them, in the Subsequent List in the Tax to be Levyed this Session, and that a Bill be drawn accordingly. Sent up for Concurrence. [33]

The Bill Intituled, *An Act for Building & Maintaining a Light-house upon the Great Brewster called* Beacon Island, *at the entrance of the Harbour of* Boston.

Read a 3d time. and

Resolved, That the Bill do pass to be Engross'd. Sent up for Concurrence.

A Petition of *Richard Peebody* of *Boxford* Guardian to *Oliver Peebody*, a Minor, presented to the House and Read, praying, That he may be Impowered to make Sale of Sixty Acres of Land belonging to the said Minor, to raise Money necessary for his Education.

And the Question being put, Whether the prayer of the Petition be granted?

It pass'd in the Negative.

A Bill Intituled, *An Act in Addition to an Act for Regulating Fees.*

Read a 3d time, and

Resolved, That the Bill do pass to be Engross'd. Sent up for Concurrence.

A Petition of *Isaac Woono*, and *Joshua Shauton*, Indians, Agents for *Ketteticut*, an Indian Town, praying, That the said Town may be ordered to lie to the County of *Bristol*. Be relieved from sundry Encroachments made upon them by the English; particularly, Mr. *Mitchel*. And have some further Powers granted to them necessary in their Township. Sent down from the Board, pass'd on there, *viz.* In Council *June 18th* 1715. Read and Referred to the next Sessions of this Court in *October* next; and that Mr. *Mitchel* and the Select-men of *Bridgewater*, be Notified thereof. Sent down for Concurrence.

The Vote of the Board sent down and entred Yesterday for a Committee to take Order for a Place for the Reception of the Governour, when he shall Arrive.

Read and

Non-Concurr'd, Inasmuch as Matters of charge ought to Originate in this House. And this House have a Week since, appointed a Committee to provide for

His Excellency's Reception, when he shall Arrive, who have already proceeded in the Affair. Sent up

A Petition of *Simeon Stoddard*, and One Hundred and Eighty-eight Others Inhabitants of the Town of *Boston*, &c. Presented to the House and Read, praying this Court to provide a Medium of Exchange in Trade, for want whereof the Trade of this Province is almost ruin'd.

Ordered, That the Consideration of the said Petition be referr'd to the next Session.

A Message from His Excellency, That if the House have any thing of necessity to be done, they should bring it forward presently, for His Excellency had Determin'd upon a short Prorogation.

The Bill Intituled, *An Act for the more safe keeping the Registry of Deeds, and Conveyances of Lands*. Sent down from the Board Concurr'd with some Amendments; which Amendments were Read, and agreed to by the House.

And the Bill sent up.

Ordered, That a Message be sent up to the Board by Capt. *Noyes*, Capt. *Fulham*, Major *Bradford*, Mr. *Lothrop*, Mr. *Parsons*, Capt. *Osgood*, and Capt. *Southworth*, that there are several Bills of Publick Importance and Benefit, that have some of them pass'd through both Houses; others that have had Readings in them, which the House are Desirous to Perfect before they are Prorogu'd. And that the said Members present and leave a List of them before His Excellency.

But as this Message was going up a Message came down from the Board, That Mr. Speaker and the House do now attend His Excellency in the Council Chamber.

The said Members went up with the afore-written Message, and particularly, Laid before His Excellency the great Importance of the Bills for Impost and Excise. [34]

An Engross'd Bill Intituled, *An Act for the better Preserving, Increasing and Securing Naval Stores; Particularly, Tar, Turpentine, and Rozin, within this Province.* Read, and

Resolved, That the Bill do pass to be Enacted.

Ordered, That *Worcester* Petition be referr'd to the next Session.

Mr. Speaker, and the House went up to the Council Chamber, and His Excellency Prorogu'd the Court to *Wednesday* the *20th* Day of *July* next, at Ten a Clock in the fore-noon.

THe Representatives returning to their own Chamber, and taking into Consideration His Excellency's Speech, directed to the Court, before he Declared the Prorogation: —— Importing, That it was almost a Month since the

beginning of the sessions, and that they had done little or nothing for the good of the Province, and that the Houses were distempered, and therefore he should Raise them by a short Prorogation, hoping they would come together in a better Temper: —— Did therefore Unanimously Agree and Conclude to Print their Journal of the present Sessions, and Desired the Representatives of Boston to take care that the same might be Seasonably done; and the Clerk to prepare a Copy accordingly.

BOSTON: Printed by *B. Green.* Sold by *Samuel Gerrish* at his Shop on the North side of King Street, near the Town House. 1715.

JOURNAL

Of the House of Representatives.

At a Great and General Court or Assembly of His Majesty's Province of the Massachusetts-Bay in New-England, begun & held at Boston, upon Wednesday the 25th Day of May, Anno Domini, 1715. And continued by Prorogation to Wednesday the 20th Day of July next after, and then Met.

MR. Speaker, sent up a Message to the Board, by Mr. *John Sterns*, That a Quorum of the House are met, and ready to proceed upon the business of the Session.

A Message from His Excellency by *Thomas Hutchinson* Esq; That Mr. Speaker and the whole House forthwith attend him in the Council Chamber.

Mr. Speaker and the House went up accordingly, and His Excellency made a Speech to the Court, whereof Mr. Speaker obtain'd a Copy, and with the House return'd to their own Chamber.

His Excellency's Speech, Read, and is as follows, *viz.*

GENTLEMEN,

AT the Last Sessions of this Assembly I earnestly recommended to you the Raising of 22000 l. *Granted & Determined by two former Assemblies of the Province, for the Drawing in of that Sum of the Province Bills, Raised & Emitted for the Support of the late War, and Trouble with the* Indians; *which said Acts of Assembly were Passed, by the Representatives, and the Council of the Province, and Presented to the Governour to be Sign'd, & Pass'd by the Seal in due manner and accordingly in that Form, were sent home, and are there of Record, and Accepted by the Right Honourable the Lords of the Council of Trade & Plantations, as I was Commanded by the Instructions for the Government, of which every body Concerned, being apprized, I made no doubt you would without any Delay have Proceeded to Apportion, and Levy it as those Acts Direct; as also the Impost & Excise, which is thereby in like manner Determined, to be Raised in Aid, of the said Taxes severally; You are all sensible how well & thriftily, as well as successfully those Sums were Disbursed, and applyed to Defray the necessary Expences of the War, and with what Honour your Bills Passed for the Support of those heavy Charges, without any Disparagement: And its as easy to see how the Credit of those Bills, must needs sink & fail, if the present or any future*

Assembly, shall upon any Pretence whatsoever, break in upon those Clauses in the Said Acts, for the time of Payment, which I am willing to give my Opinion, We have no Power to do. Nor if we had, any reason at present to Project it, for that we are in Peace, and very capable to Discharge our Debts, in such Proportion as they are Determin'd, and since we have neither Power, nor need to delay the Payment, I am of Opinion we shall Disparage the Publick Faith of the Province, to that Degree that our Bills will fail in their Value, to the very great Injury of every Body that have taken them, or are in Possession of them; and in this we are justified by His Majesty's Most Gracious Speech from the Throne, "That nothing can contribute more to the Support "of the Credit of the Nation, than a strict Observance of Parliamentary Engagements. [36]

I therefore earnestly Recommend the Consideration of the Tax, Impost and Excise to your present Resolves, and hope you will make no Delay but pass through them, in two or three Dayes, not admitting of any other business this Session.

You will also Remember, That the Treasurers Support in his Office, is not provided for, and others in Office at Home or Foreign depending on your Justice, and respect to them in such manner, as has been usual; which being done. I shall not further Delay your own Business, which Demand your being at home.

I shall Account my self happy to see these Affairs well agree'd, and there shall be nothing wanting on my Part for His Majesty's Service, the Honour of the Government, and the benefit of all His Majesties good Subjects concern'd herein.

J. DUDLEY.

A Bill Intituled, *An Act in Addition to an Act for Regulating of Fees.*
Read a first and a second time.

A Bill Intituled, *An Act in Addition to an Act for Erecting a Powder-house in* Boston. Read a first and a second time.

A Bill Intituled, *An Act for the more safe keeping the Registry of Deeds & Conveyances of Lands.* Read a first and a second time.

A Bill Intituled, *An Act in Addition to an Act of Limitation, for Quieting of Possessions.* Read a first and a second time.

A Bill Intituled, *An Act for Building & Maintaining a Light-house upon the Great Brewster, called* Beacon Island, *at the entrance of the Harbour of* Boston.
Read a first and a second time.

Mr. *Gershom Hall* return'd Representative of the Town of *Harwich*, who was not present at the last Session, now appeared. And made his Excuse to the House for his Absence the last Session.

Ordered, That his Excuse be accepted, and that he go up to the Board to be qualifyed by taking the Oaths, *&c.*

Some Letters advising that the *Cape Sables* Indians had taken some Fishing Vessels belonging to Inhabitants of this Province; Sent down from the Board & Read. And the Governours Orders to Capt. *Cayley* Commander of His Majesties Ship the Rose Man of War, to take on board & transport Col. *Edmund Goffe*, and Capt. *Cyprian Southack*, Commissioners appointed to Treat with the said Indians, and know the reasons of their Insulting the Fishery, and Taking the Vessels, and Demand their Restoration; and to Conciliate and Establish Friendship with the said Indians. Read.

Post Meridiem.

A Petition of *Archibald Stobo*, a Minister of the Gospel, lately arriv'd from *Carolina*, Driven from his Habitation there by the Hostility of the *Indians*, presented to the House & Read, praying that the Duty upon Eleven Negro Women and Children by him Imported, may be abated.

A Message from the Board by *Andrew Belcher* Esq; That Capt. *Southack* being sick, Col. *Higginson* & Col. *Goffe* are appointed Commissioners to go and Treat with the *Cape Sables* Indians. And His Excellency & Council desire the Clerk of this House may be spared to go with them, and assist in that Service, being acquainted with the Treaties that have been with the Indians.

A Message sent up to the Board by Mr. *William Paine*, That the House (as his Excellency in his Speech to the Court Directs) are desirous to Dispatch the business of the Session as speedily as possible, & therefore can by no means spare their Clerk.

His Excellency's Speech Read again, and that Paragraph thereof which relates to the Levying of 22000 l. this Year, long debated, and a Resolution formed.

IN Consideration that the Trade of this Province, is greatly Obstructed, & sunk by the Exportation of the Coin, and for want of a Medium of Exchange, & the only Medium [37] *now passing in Trade, is the Bills of Publick Credit, which are so far drawn in already, that by reason thereof the Inhabitants of this Province, will labour under great Difficulty to pay the Tax of* Twenty two Tousand Pounds, *granted to be raised this Year within the same. And Considering, That no Damage will accrue to the Publick, or to private Persons, the Possessors of the Bills*: (*this Court having abundantly secured the Credit of the Bills by making them a legal Tender*) *but Conveniency, and Advantage to both by Protracting the Payment, of part of the said Tax to a further Convenient time.*

Voted, That Eleven Thousand Pounds only of the said Sum, be Levied and Collected this present Year, and that the Impost and Excise be a Fund & Security for drawing in the Sum of Four Thousand Pounds more thereof.

And that the remaining Sum of Seven Thousand Pounds be Levied at the Ses-

sion of this Court in *May*, 1722. and paid into the Treasury by the last Day of *December* next after. Sent up for Concurrence.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Jovis 21 die Julii 1715.

A Bill Intituled, *An Act for Granting to His Majesty several Rates & Duties of Impost & Tunnage of Shipping.* Read a first and second time.

Resolved, That the Bill do pass to be Engross'd. Sent up for Concurrence.

Ordered, That Mr. *Paine*, Mr. *Remington*, Col. *Thaxter*, Mr. *Balch*, and Capt. *Cawley*, Go up to the Board, and acquaint his Excellency, That this House desire to be Informed, Whether His Excellency has consented to the several Publick and Private Bills, pass'd by both Houses at the last Session. And what steps have been since taken for the Repair of the Fort at *Brunswick* near *Pejepscut Falls?* Who Return'd, That His Excellency had consented to the several Bills, but His Excellency had still under consideration the Vote on the Petition of *Richard Coomes*. And that nothing was yet done to the Repairing of the Fort at *Brunswick*.

A Bill Intituled, *An Act for Building & Maintaining a Light-house, upon the Great Brewster* (*called* Beacon Island) *at the Entrance of the Harbour of* Boston.

Read a third time, and

Resolved, That the Bill do pass to be Engross'd. Sent up for Concurrence.

A Bill Intituled, *An Act in Addition to an Act for Regulating Fees.*

Read a third time, and

Resolved, That the Bill do pass to be Engross'd. Sent up for Concurrence.

A Bill Intituled, *An Act in Addition to an Act for Erecting of a Powder-house in* Boston. Read a third time, and

Resolved, That the Bill do pass to be Engross'd. Sent up for Concurrence.

A Bill Intituled, *An Act in Addition to an Act of Limitation, for Quieting Possessions.* Read a third time, and

Resolved, That the Bill do pass to be Engross'd. Sent up for Concurrence.

A Bill Intituled, *An Act for the more safe keeping the Registry of Deeds & Conveyances of Lands.* Read a third time, and

Resolved, That the Bill do pass to be Engross'd. Sent up for Concurrence.

Post Meridiem.

The Petition of *Archibald Stobo*, praying as entred Yesterday. Read again, and *Ordered*, That the prayer of the Petition be Granted.

Sent up for Concurrence.

A Bill Intituled, *An Act granting to His Majesty an Excise upon Wines, Liquors and other Strong Drink, Sold by Retail.* Read a first and second time.

Resolved, That the Bill do pass to be Engross'd. Sent up for Concurrence. [38]

WHereas the Subjects of the *French King* are vigorously carrying on a very considerable Settlement at *Cape Breton*, which must necessarily demand large Supplies, of Provisions, Timber, Plank Boards, Nails, *&c.* for the well effecting thereof. And inasmuch as there are just Grounds to believe that some evil Minded Persons, in this as well as the Province of *New-Hampshire*, in manifest contempt of the Fifth & Sixth Articles of a Treaty for a Neutrality, in *America*, between *England* and *France*, made at *Whitehall* the 6th of *November*, 1686. wherein it is Inserted, in the Fifth Article of the aforesaid Treaty, "That if any "Ship or Vessel shall be found Trading or Fishing, contrary to the Tenour of the "aforesaid Treaty, the said Ship or Vessel with its Loading, proof being made "thereof, shall be Confiscated. Which Articles were lately sent from the Secretary of State to this Government, for their Observation thereof, and Printed & Published here. As also a Proclamation against a Commerce & Trade, with the *French* of *Canada*, *Cape Breton*, &c. Issued forth by Order of the Governour, with the Advice of the Council the 3d Day of *January* last past, and one other of the same Import, on the 29th Day of *March* last past, for the Lucre of gain have from time to time furnished the *French* at *Cape Breton*, with Live Cattel, Pork, Corn, Lumber, and other things, without which the aforesaid Settlement would have been very much Retarded, if not wholly Defeated.

Wherefore Resolved, That a Message be sent up to His Excellency the Governour to desire that he would be pleased to Order Capt. *Cayley* in His Majesty's Ship Rose after he has accomplished his intended Cruise to the *Eastward*, forthwith to proceed to *Cape Breton*, and there to Cruise as long as the Season will allow; to prevent the aforesaid clandestine Trade, which will be of great Service & Honour to the Crown: But if not timely done, may prove very injurious to this Province, with respect to the Fishery, which at all times deserves a very great Regard. And that the Commissioner be Instructed, to proceed to *Cape Breton*, and acquaint the Chief Officer there of the Insults & Captions, made by the *Indians* & *French* amongst the Fishery, on the Coast of *Nova Scotia*, which the Indians do affirm was by the Instigation of the *French* at *Cape Breton*, from whom they have received great Presents; which is a manifest Breach of the Peace concluded between Her late Majesty, and the Most Christian King; and that this Government accordingly represent the same to His Majesty.

The Petition of *Samuel Sewall* Esq; pass'd upon in this House the last Session. Brought down from the Board, not having been pass'd upon there. Read again, and the Vote of this House thereon, and

Ordered, That the said Vote be Revived, and sent up for Concurrence.

A Plat of Seven Hundred Acres of Land, laid out by *John Gardner*, Surveyor, and the Chain-men under Oath, for *John* & *Nathanael Higginson*, pursuant to the Order of this Court at their last Session. Presented to the House for Confirmation.

Ordered, That the Land laid out and protracted in the said Plat be confirmed as the Seven Hundred Acres formerly Granted to the late Reverend Mr. *John Higginson*: Provided it Intrench not upon any former grant. Sent up for Concurrence.

And then the House Adjourn'd till to Morrow Morning nine a clock.

Veneris 22 die Julii 1715.

THe Precept last sent to the Town of *Rochester*, Return'd into the House, and Mr. *Samuel Prince* their Representative; who appear'd: And went up to the Board to be qualified by taking the Oaths, *&c.*

A Letter from Major *John Jencks* of Providence, Moving that the Line between this Government and that of *Rhode-Island*, may not be Settled, according to the last agreement of the Commissioners for that end. Read. [39]

A Report of *Eliakim Hutchinson*, &c. the Committee appointed the last Year to count & burn unserviceable Bills in the Treasury, Dated *January* 24. 1714. Read. Signifying, That they had then counted & burnt the Sum of 14427 *l.* 4 *s.* of the said Bills. 2589 *l.* 9 *s.* 9 *d.* thereof being part of the 40000 *l.* Loan received into the Treasury, the remaining 11837 *l.* 14 *s.* 3 *d.* thereof being such as were Exchang'd.

Ordered, That the Treasurer be Discharged of the said Bills, which the Committee Report on the other side they have seen burnt to ashes. Sent up for Concurrence.

A Report of the Committee last mentioned, Dated *March* 24. 1714 Read. Shewing,

That they then had counted & burnt of Bills receiv'd in exchange.	*l.* 6000 00 0
Of Province Neat Bills.	15638 12 1
Receiv'd into the Treasury with 5 *per Cent.* advance, is	781 18 7
	l. 22410 10 8

Ordered, That the Treasurer be Discharged of the Bills, which the Committee report on the other side they have seen burnt to ashes. It being agreeable to the Treasurers General Accompts, pass'd by this Court at their Session in *May* last, so far as relates to them. Sent up for Concurrence.

A further Report of the Committee last mentioned, Dated, *May* 19. 1715. Read. Shewing, That they had then counted & burnt, 7953 *l.* 5 *s.* 7 *d.* of the said Bills of Publick Credit, that were receiv'd in Exchange as not fit to pass any longer.

Ordered, That the Treasurer be Discharged of the Bills which the Committee report on the other side, they have seen burnt to ashes.

Sent up for Concurrence.

A Petition of *Peter Roe, James Younglove, John Burbank* & *Jacob Adams* jun. Selectmen of the Town of *Suffield*, presented to the House & Read, Shewing, That pursuant to the Order of this Court at their last Session, the said Town had a Meeting and chose Town Officers, but that *John Austan*, Clerk of the said Town the last Year, detain's and refuses to Deliver the Town Book to the Town Clerk chosen for this Year, which creates confusion in the affairs of the Town. Praying Remedy.

Resolved, That *John Austan* the late Town Clerk of *Suffield*, be preremptorily required to deliver the Town Book & Records to *Joseph Winchel*, the person last chosen and Sworn to be Clerk of the said Town, upon the Penalty of paying *Ten Pounds per* Week, for the use of the County of *Hampshire*, for every Week he continues to detain them, after the said *Winchel* makes demand thereof.

Sent up for Concurrence.

The Vote of this House pass'd the 20th Currant for a Tax of 11000 *l.* only to be raised this Year. Sent down from the Board, pass'd on there, *viz.* In Council *July* 21. 1715. Read and Non-concurr'd.

Ordered, That the said Vote be Insisted on, and sent up.

A Petition of *Zechariah Tuthill* Lieut. & Master Gunner, of His Majesty's Castle *William*, presented to the House & Read, praying, That Arrears of Wages due to him may be paid; as set forth in the Petition.

Ordered, That the said Petition be referr'd to the next Session for further Consideration.

A Petition of *Mary Haddrell*, and *Magdalene Beauchamp*, lately arrived from *Carolina*, being driven from their Livings there by the Incursions of the Indians, presented to the House & Read, praying, That the Duty on Eight Negro Slaves belonging to them here Imported, may be abated.

Resolved, That the prayer of the Petition be granted. Sent up for Concurrence.

A Message from the Board by *John Higginson, Andrew Belcher, John Cushing* and *Addington Davenport* Esqrs; Moving, That in the Bill for the Erecting & Maintaining a Light-house, *&c.* the Vessels belonging to the Province of *New-Hampshire*, may be inserted among those that are to be accounted Coasters.

The Question being put, *Whether the House agree to the said Amendment?*

It pass'd in the Negative. [40]

A Message was sent up to the Board to acquaint them with the said Vote.

A Petition of *James Minot*, and Sixty seven others, presented to the House and Read, praying, That a Tract of Land of Eight Miles square, lying on the Westerly and Northerly sides of *Brookfield*, may be granted to them and made a Township, and that they may have leave to purchase the Indian Title thereof.

Ordered, That the said Petition be referr'd to the next Session, for further consideration.

Post Meridiem.

Whereas this Court have ordered the Calling in & Exchanging of several of the Denominations of the Bills of Publick Credit on this Province; and many of the Bills that are paid into the Treasury are Torn & Defac'd which can be of no use, but some hazard to lodge long in the Treasury.

Ordered, That the Representatives of the Town of *Boston*, Capt. *Chambers*. & Mr. *Denison* with such as the Honourable Board shall Nominate, be a Committee, at any time (between this Session & the Session of this Court in *May* next) when the Treasurer shall have *Two Thousand Pounds*, or more of Bills in the Treasury, that are received in Exchange, as aforesaid, or otherwise defac'd, and unfit for use, at his application to them, to take an account of the Number of each of the sorts of the said Bills, and the Sum the whole amounts to, and give the Treasurer Receipt for them; and burn the said Bills to ashes, and make report of their doings to this Court, as often as there shall be opportunity, whose Receipt shall be a Discharge to the Treasurer equal to what the said Bills would have been, if they had continued in his hands. Sent up for Concurrence.

A Petition of *Amos Merrel* of *Boston*, presented to the House & Read, praying, That the Taile upon the Land descended to him from his late Father *Jeremy Merrel*, may be cut off for reasons therein mentioned.

Ordered, That the said Petition be Referr'd to the next Session, for further consideration.

A Petition of *William Manley* Sen. and fifteen others, Inhabitants of the Tract of Land commonly called *Taunton* North Purchase; presented to the House & Read, praying, That they may be form'd into a Township, for reasons therein mentioned.

Ordered, That the said Petition be Referr'd to the next Session, for further consideration.

Resolved, That the Sum of *Five Hundred Pounds* be allowed and paid out of the Publick Treasury, to the Committee appointed by this Court, to Erect a Lighthouse on *Beacon Island* at the Entrance of the Harbour of *Boston*, pursuant to an Act of this Court, for a present supply towards the carrying on of that affair, who are to keep, and render fair Accompts of their Disbursing thereof to this Court.

And the said Committee are hereby Impowred to Treat with the Owners of the said Island, and purchase it of them, for the said Service.

Sent up for Concurrence.

A Bill Intituled, *An Act for Establishing a Rule for the Apportioning of Town & County Assessments, for the Year Seventeen Hundred & fifteen.*

Read a second & a third time.

Resolved, That the Bill do pass to be Engross'd. Sent up for Concurrence.

The Vote of this House pass'd the 20. Currant for the Raising of a Tax of

11000 *l.* only this Year: Sent down again from the Board, pass'd upon there, *viz.* In Council *July* 22. 1715. put to the Vote whether the Board do Insist on their Vote of Non-concurrence, within-mentioned, on the 21 *July* Currant?

Pass'd in the Affirmative.

For that the Grant of Twenty Two Thousand Pounds mentioned in the Introduction, to the Vote of the House of Representatives, cannot justly be taken away, altered, or abated by this Court.

And then the House Adjourn'd till to Morrow Morning Nine a Clock. [41]

Sabbati 23 die Julii 1715.

A Petition of *Joseph Lord* Pastor of the Church at *Dorchester* in *South Carolina*, praying, That an Indian Girl his Servant attending upon Two of his Children, whom he has sent to this Province to avoid the Danger of the Indian Enemy, may be allowed to be Imported & Remain here for that Service, the Law of the Province to the contrary notwithstanding. Sent down from the Board pass'd upon there, *viz.* In Council *July* 20th. 1715. Read & Ordered, That the prayer of this Petition be granted, provided the Petitioner engage, to Transport the Indian Girl, when his Family go from hence; and that he do not make Merchandize of her in the mean time. Sent down for Concurrence.

Read & Concurr'd.

The Vote of this House pass'd the 20th currant for a Tax of 11000 *l.* only to be Raised this Year, and the last Vote of the Board thereon entred yesterday further considered, and

Ordered, That the Vote of the House be adhered to, and sent up.

An Engross'd Bill, Intituled, *An Act for Granting to His Majesty several Rates & Duties of Impost & Tunnage of Shipping.* Read and

Resolved, That the Bill do pass to be Enacted.

An Engross'd Bill, Intituled, *An Act for Building & Maintaining a Light-house upon the Great Brewster, called* Beacon-Island, *at the Entrance of the Harbour in* Boston. Read and

Resolved, That the Bill do pass to be Enacted.

An Engross'd Bill, Intituled, *An Act Granting to His Majesty an Excise upon Wines, Liquors, & other Strong Drink, Sold by Retail.* Read and

Resolved, That the Bill do pass to be Enacted.

A Plan of One thousand Acres of Land lying ten Miles, South-westward of *Wachusett-Hill*, laid out several Years since by *John Haynes*, Surveyor, pursuant to a Grant made *Anno* 1681. to the Six Youngest Children of Major *Simon Willard*, and now renewed by *John Haynes*, Surveyor, Son of the said *John Haynes;* presented to the House by *Samuel Sewall* Esq; for confirmation. And the following Vote pass'd thereon: *viz.*

Ordered, That the Land contained in the Plat above Delineated, be allowed and confirmed to be the Thousand Acres granted to the Six youngest Children of Major *Simon Willard* in the Year 1681. Sent up for Concurrence.

A Draught of a Stone Fort proposed to be Erected at *Pejepscut Falls* in *Brunswick*, & a computation of the Cost, sent down from the Board, & Inspected & Considered.

It appearing to this House by the Projection & Computation laid before them, that the Building of a Stone Fort at *Brunswick*, near *Pejepscut Falls*, will be attended with a great & unnecessary charge, and require a considerable time before it can be compleated.

Voted, That the Fort to be built there be made of Logs or Timber, not exceeding the Dimensions of Fifty Feet square; and that Col. *John Wheelwright*, Capt. *Lewis Bane*, and *Charles Frost* Esq; who built the Fort at *Winter Harbour*, be a Committee to build the said Fort, with as much Expedition as may be; that the Stores at *Casco-Fort*, so far as needful, may be removed thither: which we are Informed are too much exposed to the Indians, through the decay'd State of that Fort. Sent up for Concurrence.

An Accompt of *Joseph Jencks* jun. his charge in building the Great Bridge over *Pautucket* River, amounting to the Sum of 223 *l.* 14 *s.* 11 *d.* Read, with a Letter from Mr. *Richard Ward*, Secretary of the Colony of *Rhode-Island*, Moving this Government to pay one half of the said Sum.

Ordered, That the said Accompt be Referr'd to the next Session, for further consideration.

Ordered, That such Petitions as were the last Session referr'd to this, and have not now been considered, be referr'd to the next Session. [42]

The Vote of this House pass'd this Day for a Wooden Fort to be built at *Brunswick;* Sent down again from the Board with a Message, That they are of Opinion, since there is a Stone Fort there that may be repaired, It is better it be proceeded in than that a New one should be built with Wood, and therefore the Board had not Concurr'd with the said Vote.

An Engross'd Bill Intituled, *An Act for Establishing a Rule for the Apportioning of Town & County Assessments for the Year Seventeen Hundred & Fifteen.* Read and

Resolved, That the Bill do pass to be Enacted.

A Message from the Board by *Addington Davenport*, and *Edmund Quinsey* Esqrs; That His Excellency and Council, have pitch'd upon the Clerk of this House for a Commissioner to proceed to *Cape Sables* to Treat with the Indians there, and desire the consent of the House that he may attend that Service.

The Question being put, *Whether the House consent to the said Motion from the Board?* It pass'd in the Negative.

A Message sent up to acquaint His Excellency & the Board with the said Vote.

And then the House Adjourn'd till Monday next Three a Clock in the afternoon.

Lunæ 25 die Julii 1715.

A Memorial of *Andrew Belcher* Esq; at the desire and in behalf of *Samuel Patridge* Esq; Moving, That liberty may be granted to those that had Boxed Pine Trees to draw Turpentine in the County of *Hampshire*, before the Act pass'd the last Session did prohibit it, may be allowed to draw the Turpentine from them this Summer, paying such acknowledgment as this Court shall see meet to Order, brought down from the Board, having been there Read, and Recommended. Read.

And the Question being put, *Whether the Request of the said Memorial be granted?* It pass'd in the Negative.

A Message from the Board by *Andrew Belcher*, *Isaac Winslow*, & *John Pynchon* Esqrs; That His Excellency & Council, have found no proper Person, besides Col. *Goffe*, that they can prevail with to proceed as Commissioner, to Treat with the *Cape Sable* Indians, and that they apprehend His Majesty's Subjects in their hands are in danger of Suffering by them. Desiring the Advice of the House in the affair. And left two Affidavits of such Persons as have lately been in the hands of the said Indians, which were Read:

And a Petition of *Jotham Odiorn* in behalf of himself, and *William Pepperell* Esq; of *Kittery*, Shewing, That the Indians at *Cape Sables* have taken two Fishing Sloops and a Shallop belonging to the said *Pepperell*, and two Fishing Sloops of the said *Odiorns'*: praying, That they may have liberty to send and Ransom their Vessels, and bring home Eleven Men now in the hands of the said Indians: And that a suitable Number of Men may be allowed to go with them, for that end in such Vessel as this Court shall Order. Read and

Ordered, That the Petition be Rejected; the Petitioner *Odiorn* being an Inhabitant of the Province of *New-Hampshire;* it is proper for him to apply there.

Ordered, That a Message be sent up to His Excellency the Governour, earnestly moving, That the Request of this House of the 21st. currant agreed to by the Council, for the Guard-ship to proceed to *Cape Breton*, &c. when she had finished her Intended Cruise, may be answered.

That if it be Suspected, That any of the English have Injured, or Defrauded any of the Indians, that it may be inquired into and Justice done to the Indians, That no proper means may be neglected to prevent the great Calamity of a War returning upon us.

That His Excellency will please to give Instruction to the Captain of the Man of War, to Represent to the Commander in Chief at *Cape Breton*, That the French are [43] Fishing to the Westward of the Gut of *Canso*, which is contrary to the late Treaty of Peace.

A Message from the Board, That His Excellency did agree to the Message last sent to him from the House.

A Message from the Board by *John Clark*, *Thomas Fitch*, and *Edmund Quinsey* Esqrs; That the Man of War is delay'd Sailing on her Cruise Eastward by nothing but the wanting of another Commissioner, in which they should be glad of the advice of this House.

A Message sent up to the Board by Capt. *Noyes* & Col. *Thaxter*, That the House is of Opinion, That Mr. *John Nelson* is a Person very proper for that Service.

Who Return'd, That Mr. *Nelson* could not be obtain'd for that Service.

A Message from the Board by *Addington Davenport* and *John Pynchon* Esqrs; Desiring, Mr. *William Paine* a Member of this House, to undertake the Service of a Commissioner, to Treat with the *Cape Sables* Indians; and that the House would consent to his proceeding therein:

But Mr. *Paine* acquainted the House, That he could by no means attend that Service.

The following Vote sent down from the Board, *viz.* In Council *July* 25. 1715.

In answer to the Petition of *William Pepperell* Esq; He has leave to visit the Indians in friendship, at *Cape Sables*, and use all proper methods to regain his Men and Vessels, out of the Indians hands; and the Frigot being also ordered to visit that Coast may cover them, and afford them their Advice and Protection.

Sent down for Concurrence.

Read and Non-concurr'd: As a Matter of dangerous Consequence, for this Government to give allowance to the Ransoming of Captions from the Indians.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Martis 26 die Julii 1715.

A Petition of the Eastern Congregation in the Town of *Watertown* by their Committee, praying, That they may be made a Separate Town, the Western Part of the said Town continuing to Illude the Orders of this Court for the Maintenance of the Ministry in the said Town: Sent down from the Board with their Vote thereon for Concurrence, which was Read and Agreed to by the House, with an Amendment. And is as follows, The Amendment being inserted, *viz.*

Ordered, That the Petitioners, serve the Select-men and Assessors of *Watertown*, with a Copy of this Petition and Summon them to attend this Court on the Second Wednesday of the next Fall-Session, to answer the Complaints, made therein, of their neglecting to comply with the Orders of this Court, for the Maintenance of their Ministers. Sent down for Concurrence.

Read and Concurr'd.

The Honourable Board not seeing cause to agree to the Vote of this House of the 23d Currant for Building a Fort with Wood.

Voted, That His Excellency the Governour be Requested to Order the Repair-

ing of the Stone Fort at *Brunswick* near *Pejepscut Falls*, agreeable to the Vote of this Court at their last Session. Sent up for Concurrence.

Ordered, That a Message be sent up to the Board, desiring, That the Bills that have pass'd the Houses, may be Engross'd, and Enacted, that the Court may rise; this House having now no business before them.

The Petition of *Josiah Chapin* Esq; of *Mendon*, upon which a Vote was pass'd in this House, the 28th *June* last; sent down from the Board, the Council not having then pass'd upon it.

Ordered, That the said Vote be Revived and sent up for Concurrence. [44]

And the Vote of this House pass'd on the Petition of the Inhabitants of *Brookfield*, the 9th of *June* last, not being then pass'd upon in Council: Sent down again to be Revived.

Ordered, That the said Vote be Revived and sent up for Concurrence.

A Petition of *Edward White* of *Boston*, shewing, That Mr. *Joseph Dowding* of the said Town hath wrongfully taken away, and with-holds from him his House, wherein he is without remedy in the Law; And that the Committee appointed by this Court to Audit, and Adjust the Accompts depending between them, have reported a considerable Sum to be due to him: Praying, That the said Report may be confirmed, and the said *Dowding* be compelled to pay him accordingly; or that his Affair may again have its course through the Law.

Sent down from the Board, pass'd upon there, *viz.* In Council *July* 26. 1715. Read, and the prayer of the Petition is so far granted, That the Petitioner be admitted to a new Trial. Sent down for Concurrence. Read & Concurr'd.

A Letter from His Excellency the Governour to the two Houses. Sent down from the Board, and is as follows, *viz.*

Council Chamber in *Boston*, *July* 26. 1715.

GENTLEMEN,

THe News from Cape Sables *increasing upon us, that the Indians have proceeded in their Hostilities, so far as to make themselves Masters of about Twenty-seven of our Fishing Vessels, and Men belonging, of whom they have Murdered Eight, and wounded Others.*

I am of Opinion, That the Frigot proceed immediately to Annapolis Royall, *and Acquaint the Government there, of our present Posture, and their Danger, and obtain their advice of any Method, to be used to Recover our Vessels, and Prisoners out of the Indian bands; and from thence to proceed to* Cape Sables, *to advise our Fishing Vessels there of their Danger: And that there be taken up forth-with two good Sloops with Thirty Men each, to Defend and Secure our remaining Fishery, upon the Coast of* Cape Sables, *and Parts Adjacent, and to hold his Cruise there for Twenty Dayes, and then give us Notice for our further Proceedure; and that the Frigot Sail forth-with,*

with Col. Goffe *on Board, no other fit Person to be joyned with him in this Negotiation appearing.* *J. DUDLEY.*

Pass'd upon in Council, *viz. July* 26th. 1715. Read and Accepted, and desired that it be forth-with proceeded upon. Sent down for Concurrence.

Read and Concurr'd.

An Engross'd Bill, Intituled, *An Act for the more safe keeping the Registry of Deeds and Conveyances of Lands.* Read and

Resolved, That the Bill do pass to be Enacted.

An Engross'd Bill Intituled, *An Act in Addition to an Act for Regulating Fees.* Read and

Resolved, That the Bill do pass to be Enacted.

A Petition of *John Austan*, late Town Clerk of *Suffield*, presented to the House and Read, praying this Court to Order the Proprietors of the said Town, to have a Meeting; and that the Justices of the General Sessions of the Peace in the County of *Hampshire*, may Hear and Determine their Differences relating to Grants of Lands in the said Town.

Ordered, That the Inhabitants of the Town of *Suffield*, be advised & directed to Compromise, and Issue their Differences in the Affairs afore-mentioned, among themselves as speedily as may be. But if they shall not be so wise as to do it, in the space of three Months next coming, & signifie it to the Honourable *Samuel Partridge* Esq; That then the Justices of the General Sessions of the Peace in the County of *Hampshire*, Hold a Special Session at the said Town, Hear both Parties & Determine and Settle their Differences, whose Determination shall be a final Issue, and be so entred in their Town Book.

The charge of the Session to be born by the said Town.

And the Town Clerk is directed to Enter no Record of the Lands in controversy, [45] before the Session order'd of the Justices, unless the Town come into a good and amicable agreement therein. Sent up for Concurrence. With a Message that the House have no business before them and desire to Rise.

A Message from the Board by *John Clark*, *Thomas Hutchinson*, and *Edmund Quinsey* Esqrs; That several Allowances which are wont to be made Annually at the *May* Session, are not yet done; as the Allowance to the Judges, Treasurer, *&c.* Moving the House now to Grant the same. And intimated that the Treasurer is not willing to be Sworn for the Service of the Year currant, until his Allowance for the last Year's Service is Granted.

The Question being put, *Whether the House will proceed to make Allowances at this time, inasmuch as the Tax to be Levied this Year is not agreed on?*

It pass'd in the Negative.

And the said Vote was sent up to the Board by Capt. *Noyes*, Mr. *William Paine*, and Mr. *Chipman.*

The following Vote sent down from the Board, *viz.* In Council, *July* 26th. 1715.

Elisha Hutchinson, *Eliakim Hutchinson*, *Andrew Belcher*, *Thomas Hutchinson* and *Edmund Quinsey* Esqrs; are a Committee to confer upon the Tax, with such as the Representatives shall appoint, that the Occasions of the Province be not lost for want of a Supply. Sent down for Concurrence. Read & Concurr'd with an Amendment added, *viz.* And consider some Expedient wherein the Houses may be likely to agree for raising one.

And Capt. *Noyes*, Mr. *Cooke*, Mr. *Epps*, Capt. *Fullam*, Maj. *Bradford*, Capt. *Parsons*, Capt. *Cawley*, Mr. *Knolton*, and Capt. *Chambers* are joined in the Affair.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Mercurii 27 die Julii 1715.

A Plat of Land, offered to the House for confirmation, pursuant to the Vote of this Court at their last Session for 1686. Acres to be laid out, in answer to the Petition of the Heirs of *John Haynes*.

And the Petition of the Heirs of the said *John Haynes*, presented to the House and Read, praying, That the Land in the said Plat may be confirmed to them.

And a Petition of *Hopestill Brown*, *John Brigham*, *Joshua Haynes*, & *Edward Goddard*, presented to the House and Read, praying, That a certain Tract of Meadow, belonging to them, and others, lying within the Limits of the said Plat, may be reserved to them, together with some Up-land to Stack their Hay upon, and a convenient High-way to the Meadow.

An Answer of the Heirs of the said *John Haynes* to the last mentioned Petition, Read; and the Question being put, *Whether the Plat be Confirmed?*

It pass'd in the Negative. It appearing to the House that the Plat is fallaciously drawn, and contains several Hundred Acres of Land more than the 1686. design'd to be confirmed by this Court.

The Petition of the Committee of sundry Proprietors of *Swampfield*, praying as entred the 7th Day of *June* last. Read again, and

Ordered, That the Petitioners lay before the Court a Plat of their Original Grant, and of the Land they Petition to have added to them by a Surveyor and Chain-men under Oath. Sent up for Concurrence.

A Message from the Board by *John Clark* & *Thomas Fitch* Esqrs; Moving the House to Vote the Wages that shall be given to a Surgeon for the Sloops Ordered to *Cape Sables*.

Ordered, That a Message be sent up to the Board, That some proper Person be agreed with for that Occasion, upon such reasonable Terms as he can be obtained. [46]

The following Vote brought from the Board by *Andrew Belcher*, *Isaac Winslow*, *Thomas Hutchinson*, *Thomas Fitch*, and *Edmund Quinsey* Esqrs; *viz.*

Proposals for the Drawing in 22000 *l.* to be Levied on Polls and Estates, for this present Year 1715.

	l.	*s.*	*d.*
Interest on the 50000 *l.* Loan Money.	2000	0	0
In the Treasury, as appears by the Treasurers Accompts.	2000	0	0
Impost and Excise, suppose to be.	5000	0	0
A Tax on Polls & Estates to be Levied this present Year, to compleat the 22000 *l.*	13000	0	0
	l. 22000	0	0

In Council *July* 27th. 1715. Voted & Accepted unanimously.
Sent down for Concurrence. Read.

Post Meridiem.

A Message sent up to the Board by Mr. *William Denison*, Mr. *Hitchcock*, and Mr. *Chipman*, That the House desire to see the Report of the Committee of both Houses, appointed to confer about the Tax. Which they brought down, & is as follows, *viz.*

Proposals, for Drawing in the Tax of 22000 *l.* Granted to be paid in the Year 1715. *viz.*

	l.	*s.*	*d.*
A Tax on Polls and Estates.	11000	0	0
Interest of the 50000 *l.* Loan.	2000	0	0
In the Treasury, with an Obligation & Judgment of Court.	2050	0	0
Impost and Excise.	6950	0	0
	l. 22000	0	0

A Tax to be Granted on Polls and Estates to make good Deficiencies on any of the above Sums, 5000 *l.* To be Levied in 1712, or 1713.

Read and Accepted. Sent up for Concurrence.

A Message from the Board by *Elisha Hutchinson*, *Andrew Belcher*, *Edward Bromfield*, *John Clark*, *Thomas Hutchinson*, *Thomas Fitch*, *Thomas Oliver*, and *Edmund Quinsey* Esqrs. who brought down the Vote of this House upon the Report of the Committee of both Houses, concerning the Tax Non-concurr'd. And Acquainted the House that the Council could not consent to the *Post-poning* any part of the Tax, and mov'd the House to consent to the Vote of the Board relating to the Tax sent down this Day.

The Vote of the Board relating to the Tax, entred in the forenoon, and then sent down for Concurrence. Read and Non-concurr'd.

Ordered, That the House Adhere to their Vote on the Report of the Committee of both Houses. And that it be sent up again.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Jovis 28 die Julii 1715.

AN Engross'd Bill Intituled, *An Act in Addition to an Act of Limitation, for Quieting of Possessions.* Read and

Resolved, That the Bill do pass to be Enacted.

Ordered, That Col. *Thaxter*, Col. *Winthrop*, and Mr. *William Paine*, with such as the Honourable Board shall Nominate, be a Committee to Consider & Treat with Persons Skilful in Surveying; and acquainted in the Frontires, in order to take a Plat of the ungranted Lands, in the Frontiers lying between *Connecticut* Great River, and *Merrimack* River, up as high Westward, as *Pennicook*, upon *Merrimack* River, and from thence upon a strait Line, to the nearest part of *Connecticut* River: The Plat to [47] Include all the ungranted Lands lying between the said two Rivers, and the said strait Line, and the Frontier Towns. And in order to take Plats of the ungranted Lands that are within the said Frontiers. And make a Report to the next Session of this Court what the charge may probably amount to. Sent up for Concurrence.

Post Meridiem.

The following Proposal presented to the House by the Subscribers. *viz.*

WE the Subscribers Proprietors of the Lands in Brunswick, Topsham, *&c. being Desirous to make such a Settlement, as may be able to sustain a War with the Indians, Do acknowlege the Favour of the General Court, in their readiness to Encourage & Protect the intended Settlements, and particularly in the Repair of the Fort there; yet perceiving the House inclinable to a Wooden Fort, on account of the Cheapness of it; We being sensible that as this Fort is set, so as to be a Bridle to the Indians: So if a War should arise, it may be Expected, they will leave no means untryed, to become Masters of it, towards which the Remoteness from Succour will give them great advantage, and considering how much the Lives & Estates there will depend upon the Strength & Security of that Fort; We have been Induced to make the following Proposal.*

That Whereas the Wooden Fort at Winter Harbour *Cost, as we are Informed* 400 l. *Pounds, when Provisions, & Labour were much Cheaper, than at this time, We can't suppose such an one now would Cost much less than* 500 l. *Pounds; and a Stone Fort supposed to be much more Chargeable: Yet rather than the said Fort should be of Wood, and so liable to be Consumed by Fire, in case it should be Assaulted by* French *as well as* Indians.

We Offer, That if the General Court will please to Allow Five Hundred Pounds, and let us now have the Fifteen Men, which are Designed for that Garrison, we will enter into Engagements to Repair & Finish the aforesaid Stone Fort: To be 50 *Foot*

square, as proposed, with Four Bastions, Two of which of Wood on the Top of the Angle; at our own Charge, although it should amount to more than that Sum. And we shall set about it in a Weeks time if possible, and hope to finish it before Winter, if not Obstructed by the Indians. *We desire to have Three Hundred Pounds of the said Sum as occasion shall require, to provide Materials,* &c. *and the remainder when the work is finished.*

Boston, July 28*th*, 1715.

Memorandum,

It is agreed that the Foundation of the said Fort shall be Three Foot under ground, That the Wall shall be Three Foot Thick at Bottom, and at least Ten Foot High above the Ground; and laid in Lime Mortar, with Barracks for Fifteen Men; to be built on or near the Spot where the Fort now stands.

Thomas Hutchinson
Adam Winthrop
Oliver Noyes.
In behalf of themselves and partners.

Voted, That the said Proposals be accepted, and the Sums be paid out of the Treasury as proposed. Sent up for Concurrence.

A Message from the Board by *Thomas Fitch*, & *Thomas Oliver* Esqrs; That Capt. *Bommazeen* with the other Four Eastern Indians that have been here some Days upon a Visit, are now returning home, and the Council think it convenient that something be given them, to bear their Expences.

Voted, That the Sum of Four Pounds be allowed them to bear their charges home. Sent up for Concurrence.

A Message sent up to the Board by Mr. *Remington*, and Capt. *Osgood*, That this House have no business lying before them, and if there be none to come down from the Board, the House desire to be dismist.

Who return'd answer, That His Excellency said the Treasury is not yet supplyed, nor the Tax to be Raised this Session agreed upon, nor the Treasurers Salary Voted, and he, as yet not Sworn, which ought to be done before the Court Rises.

The following Vote sent down from the Board, *viz* In Council *July* 28th. 1715. Voted, That if the Assembly agree to lay Eleven Thousand Pounds Tax at this Session, in part of the Twenty two Thousand Pounds Granted by two former Acts of Assembly, to be paid this Year; the Council will agree to the Act.

Sent down for Concurrence. Read.

And then the House Adjourn'd till to Morrow Morning Nine a Clock. [48]

Veneris 29 die Julii 1715.

AN Act for Apportioning & Assessing a Tax of Eleven thousand pounds, on Polls and Estates, which with the Sum of Two thousand pounds in the Treasury, Two thousand pounds Interest of the Loan Money, and Seven thou-

sand pounds by the Impost, Excise & Tunnage of Shipping, past this present Session, will make up the Sum of Twenty two thousand pounds pursuant to the Funds & Grants, made to Her late Majesty by this Court, at their several Sessions in *Novemb.* 1710 & *May* 1711.

Ordered, That the Preamble of the Tax Bill to be pass'd this Session, be formed agreeable to the above-mentioned Minutes. And that a Bill be drawn accordingly, as expeditiously as may be. Sent up for Concurrence.

Resolved, That the Treasurer be & hereby is Directed & Impowred, to Issue forth and Emit the Sum of Four thousand pounds, of the Bills of Publick Credit of this Province, that are or shall be received into the Treasury, for payment of the Publick Debts of the Province already contracted; for the Defence & Support of the Government, and the necessary Protection, and Preservation of the Inhabitants of this Province; and for the Subsisting of Forts, or Garrisons, and Wages arising for their Service: (But the Fort at *Casco Bay* for no longer time, than the first Day of *October* next;) for Payment of Grants, Salaries, and Allowances, made or to be made by this Court, according to such Draughts as from time to time shall be made upon him, by Warrant or Order of the Governour, by & with the Advice & Consent of the Council: and the said Bills shall pass out of the Treasury at the value therein expressed, equivalent to Money; and shall be taken, and accepted in all Publick Payments at the Advance, and after the Rate of *Five Pounds per Cent.* more.

And as a Fund & Security for the same, There be, and hereby is Granted to His Most Excellent Majesty, to the ends & uses, as aforesaid, a Tax of Four thousand pounds, to be levied on Polls & Estates both Real & Personal within this Province, according to such Rules, and in such Proportion, upon the several Towns and Districts within the same as shall be agreed on, and ordered by the Great and General Court or Assembly of this Province, at their Session in *May Anno* 1722. And paid into the Treasury on or before the last Day of *December* next after.

Sent up for Concurrence.

Resolved, That the Sum of Forty Shillings be allowed, and paid out of the Publick Treasury to Mr. *Benjamin Rolf* for his Service in writing for this Court the last Year. Sent up for Concurrence.

Post Meridiem.

A Bill Intituled, *An Act for Apportioning & Assessing a Tax of Eleven Thousand Pounds upon Polls & Estates.* Read a first time.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Sabbati 30 die Julii 1715.

A Bill Intituled, *An Act for Apportioning & Assessing a Tax of Eleven Thousand Pounds upon Polls & Estates.* Read a 2d and a 3d time.

Resolved, That the Bill do pass to be Engross'd. Sent up for Concurrence.

Ordered, That the Representatives of the Town of *Boston*, be desired to take the care of Printing the Votes of this House this Session, and Treat with a Printer about the Terms upon which they may be Printed here-after.

WHEREAS It is Enacted, *in the Act for Granting to His Majesty several Rates, and Duties of Impost and Tunnage of Shipping. viz.* "That there "shall be paid by the Master of every Ship, or other Vessel coming into any Port, "or Ports in this Province, [49] to Trade & Traffick, the major part of the Own-"ers whereof are not belonging to this Province; except such Vessels as belong to "the Provinces, or Colonies of *Pensilvania*, *West* & *East Jersey*, *New-York*, *Con-"necticut*, or *Rhode-Island;* every Voyage such Ship or Vessel does make, the Sum "of *Eighteen-Pence per* Ton, or one Pound of good New Gun-powder, for every "Ton such Ship or Vessel is in burthen; to be paid unto the Commissioner, or Re-"ceiver of the Duties of Impost, and to be Imployed for the Supply of His Maj-"esty's Castle, and Forts, within this Province.

Ordered, That it be an Explanation of the said Act, That the said Duty is not to be paid for such Part or Parts, of any Ship or other Vessel, that is owned by any person or persons Inhabiting this Province; and that it be an Instruction to the Officer of Impost to govern himself accordingly.

Sent up for Concurrence.

A Complaint of *Nathanael Healy*, and four others of the South Part of *Newton*, Shewing, That they are Assessed to the Support of the Ministry in the said Town, notwithstanding by an Order of this Court, they are annexed to the Western Precinct in *Roxbury*. Sent down from the Board, pass'd on there, *viz.* In Council, *July* 30th. 1715. In Answer to this Petition. Voted, That the Vote and Advice of this Court, at their Session in *May* 1713. to the Town of *Newton*, to allow Six Families lying next to *Roxbury* to Attend the Worship of God at that Precinct, was and is a Possitive Order, to the said Town; to Dismiss the said Six Families, from them to Attend the Publick Worship of God at *Roxbury;* and accordingly they are Discharged from paying to the Ministers in *Newton*.

Sent down for Concurrence. Read and

Ordered, That the consideration of this Petition be referr'd to the next Session of this Court; and that in the mean time no Distress be made upon the Petitioners. Sent up for Concurrence.

A Message from the Board by *Wait Winthrop*, *John Clark*, & *Thomas Fitch*

Esqrs. That the Board had not pass'd upon the Vote of this House, sent up Yesterday, for Supply of the Treasury: His Excellency having intimated to them, That he could not consent to the clause therein relating to *Casco Fort*. And they left the said Vote to be further considered of.

The said Vote was sent up to the Board again by Mr. *Cooke*, and Mr. *Remington*, with a Message, That the House is of Opinion, They can't abate the clause concerning *Casco Fort*, without the hazard of having both the Old Fort at *Casco*, and a New one at *Pejepscut* to be maintained.

The Vote of this House for Supply of the Treasury, sent down again from the Board, with a clause proposed in the room of that concerning *Casco Fort. viz.* And that the Treasurer send the Subsistence for the Garrison at *Casco* till the first Day of *October* next; not doubting of the Governours Direction to Draw off the Garrison at *Casco* so soon as the New Fort at *Pejepscut* be finished and ready to receive the Stores, and Soldiers now lodged at *Casco Fort*.

The Question being put, *Whether the House agree to the said Amendment propos'd by the Board?*

It pass'd in the Negative. *Nemine Contradicente.*

Ordered, That the House Adhere to their Vote. Sent up.

And then the House Adjourn'd till Monday next Three a Clock in the afternoon.

Lunæ 1 die Augusti 1715.

A*ddington Davenport* Esq; Brought down from the Board some Letters advising of the Return of the Vessels and Men, that were taken by the *Cape Sables* Indians, and inform'd the House there is no business lying before them. [50]

Mr. *Cooke*, Mr. *Paine*, and Capt. *Fullam* were sent up to the Board, to Inquire whether the Vote of this House, for Supplying the Treasury is Concurr'd. And to Acquaint them that this House have no business before them.

A Message from the Board by *Andrew Belcher*, *Edward Bromfield*, *John Clark*, *Addington Davenport*, *Thomas Hutchinson*, *Thomas Oliver*, and *Edmund Quinsey* Esqrs. That the Council could not Concurr with the Vote of this House for Supply of the Treasury, with that clause in it relating to *Casco Fort;* But that His Excellency says, He is ready to remove the Stores from *Casco Fort*, to *Brunswick*, as soon as the Fort at *Brunswick* shall be fit to receive them, and will do it, if it lyes in his Power, when the Fort at *Brunswick* shall be ready: And they left the said Vote, whereon is entred, *viz.* In Council, *August* 1st. 1715.

Read and Non-Concurr'd.

The following Vote entred on the Vote for Supply of the Treasury, and sent up. *viz.*

Voted, That it is the undoubted Right of this House to Appropriate their Grants.

And that the House are necessitated to adhere to this their Resolve, without abating the clause relating to *Casco Fort*, having Voted the Repairing of the Fort at *Brunswick;* which Vote is Concurr'd by the Honourable Board, and consented to by His Excellency.

A Petition of *William Clap*, and Fourteen other: Inhabitants of *Cape Cod*, Assigning reasons why they would not be annex'd to the Town of *Truro;* and why they are without a Minister: and praying, That they may be made a Township, and assisted out of the Publick Treasury in Building a Meeting-House, and Maintaining a Minister. Proposing that the Treasury may be reimburs'd by a Duty laid on the Fishery there. Sent down from th Board. Recommended.

Ordered, That the Consideration of the said Petition be referr'd to the next Session.

Sent up for Concurrence by Capt. *Chambers*, and Mr. *Moodey*, with a Message that the House have no business before them, and desire to Rise.

A Message from the Board by *Edmund Quinsey* Esqr; That His Excellency Directs the Speaker and the whole House to attend him forthwith in the Council Chamber.

Mr. Speaker, and the House went up accordingly; and His Excellency Prorogu'd the Court to *Wednesday* the 24th. Day of *August* Currant, at Ten a Clock in the forenoon.

BOSTON: Printed by B. Green. 1715. [51]

Anno Regni Regis GEORGII nunc Magnæ Britanniæ, &c. Secundo.

JOURNAL

Of the House of

Representatives.

At a Great and General Court or Assembly of His Majesty's Province of the Massachusetts-Bay in New-England, begun & held at Boston, upon Wednesday the 25th Day of May, Anno Domini, 1715. And continued by Prorogation to Wednesday the 24th Day of August next after, and then Met.

A Number sufficient to constitute a House not appearing, the Members present agreed to meet again at Three a Clock in the afternoon.

Post Meridiem.

Mr. Speaker sent up a Message to the Board by Col. *Thaxter*, and Capt. *Cawley*. That a *Quorum* of the House are now met, and ready to proceed upon the Business of the Session.

A Message from His Excellency by *Edmund Quincey* Esq; That Mr. Speaker and the House forthwith attend him in the Council Chamber.

Mr. Speaker and the House accordingly went up to the Council Chamber, and His Excellency made a Speech to the Court, whereof Mr. Speaker obtain'd a Copy, and with the House return'd to their own Chamber.

His Excellency's Speech Read, and is as follows, *viz.*

GENTLEMEN, Boston, August 24th. 1715.

I *Should not have given You the Trouble of a Session at this time, but that I thought it necessary to give you the Opportunity to Provide for the Support of the Government in the hands of the Civil Officers, The Judges, the Treasurer and Others who ought to be provided for, and have at no time been neglected, by the Assembly besides which it is necessary, to have some-thing in the Treasury for the Defreying of other Emergencies, that may require the same, This will not Demand more than a Day or Two to Resolve, and I am not willing, to enter into any other Affairs that may Detain you from your own business in the Country that is pressing at this time.*

J. DUDLEY.

A Motion being made, That the House will not proceed to make a Grant for Supply of the Treasury, without an Introduction thereto, to shew the reason of it's not being done afore, and to vindicate the House therein.

Which meeting with some Opposition.

The Question was put, *Whether the House will proceed to make a Grant for supply of the Treasury, without such Introduction?*

It pass'd in the Negative.

Ordered, That Mr. *William Paine*, Capt. *Noyes* and Mr. *Remington*, be a Committee to prepare a draught of such Introduction and lay it before the House.

Which they did accordingly, and was Read and Accepted by the House, and pass'd together with a Resolve for a supply of the Treasury: As follows, *viz.* [52]

This House having on the 29th Day of July *in their last Sessions; Voted*, That the Sum of Four Thousand Pounds of the Bills of Publick Credit of this Province be Emitted by the Treasurer, for the Support of the Government, and for Payment of Grants, Salaries and Allowances, Made or to be made by this Court, *&c.* which said Vote was then Non-concurr'd by the Honourable Council. For Reviving therefore of the said Grant, and that this House may again shew their readiness to supply the Treasury.

Resolved, That the Treasurer be & hereby is Directed & Impowred, to Issue forth and Emit the Sum of Four thousand Pounds, of the Bills of Publick Credit of this Province, that are or shall be received into the Treasury; for payment of the Publick Debts of the Province already contracted; for the Defence & Support of the Government, and the necessary Protection, and Preservation of the Inhabitants of this Province; and for the Subsisting of Forts, or Garrisons, and Wages arising for their Service: (But the Fort at *Casco Bay* for no longer time, than the first Day of *October* next;) for Payment of Grants, Salaries, and Allowances, Made or to be made by this Court, according to such Draughts as from time to time shall be made upon him, by Warrant or Order of the Governour, by and with the Advice and Consent of the Council: and the said Bills shall pass out of the Treasury at the value therein expressed, equivalent to Money; and shall be taken, and accepted in all Publick Payments at the Advance, and after the Rate of *Five Pounds per Cent.* more.

And as a Fund & Security for the same, There be, and hereby is Granted to His Most Excellent Majesty, to the ends and uses, as aforesaid, a Tax of Four thousand Pounds, to be levied on Polls and Estates both Real and Personal within this Province, according to such Rules, and in such Proportion, upon the several Towns and Districts within the same, as shall be agreed on, and ordered by the Great and General Court or Assembly of this Province, at their Session in *May Anno* 1722. And paid into the Treasury on or before the last Day of *December* next after.

Sent up for Concurrence.

The Vote of this House pass'd the 28th of *July* last, relating to the taking a Survey of the Western Frontiers, not having been then pass'd on by the Board, was sent for from thence, and Read, and

Ordered, That the said Vote be Revived, and Sent up for Concurrence.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Jovis 25 die Augustii 1715.

A Motion being made, That Provision be made in the Law to give certain and seasonable Notice to the several Members of this Court of the Prorogations thereof, that shall be made from time to time when this Court is not Sitting.

Ordered, That Mr. *Cooke* be desired to prepare a Draught of a Bill for that end, and lay it before the House at their next Session.

Post Meridiem.

The Committee of this House appointed the last Session to Treat with a Printer for the Imprinting the Votes of this House, made Report that Mr. *Bartho. Green* Printer, had offered to do the same, and all the other Printing directed by the Government, for the space of Seven Years next coming; and to furnish each Member of this Court, with a Copy of the said Votes, free of charge, on each *Tuesday*, *Thursday* and *Saturday*, of the several Sessions, during that Term, upon his being Allowed *Thirty Pounds per Annum* for his Service.

Ordered, That the said Proposal be Accepted. Sent up for Concurrence; with a Message to the Board, That this House have no business before them; and Desire if there is any thing to come down, it may be sent as soon as may be. [53]

Ordered, That the Eastern half of the Thousand Acres of Land reserved to the Province in the Grant of the Township of *Rutland*, be, and hereby is Granted to *John Burrill* Esq; Speaker of this House, and his Heirs and Assigns for ever; in consideration of his long & good Service to this Province.

Sent up for Concurrence.

Ordered, That a Message be sent up to the Honourable Board, Requesting them to Meet in Council earlier, if it may be to give as speedy a Dispatch as possible to the affairs of the Session.

Nathanael Paine Esq; brought down the Resolve of this House for the supply of the Treasury, Concurr'd in Council with an Amendment added to the clause therein relating to *Casco Fort*, *viz.* Provided the New Fort at *Pejepscot*, be then in a readiness to receive the Fifteen Men appointed by the Government, and the necessary Stores.

Read, And the Question being put, *Whether the House agree to the said Amendment?* It pass'd in the Negative.

Ordered, That the said Resolve of this House be Insisted on. Sent up by Capt.

Noyes, Mr. *William Paine*, Col. *Winthrop*, Col. *Thaxter*, Mr. *Epps*, Capt. *Chambers*, and Mr. *Cawley*.

The said Resolve, sent down from the Board, pass'd upon, as follows, *viz.* In Council, *Aug.* 25. 1715. Resolved, That the Board do adhere to their former Amendment to the Vote of the Representatives, for that the Board are of Opinion the Fort at *Pejepscot* will not be in a readiness to receive the Men and Stores necessary for its Defence by the time limitted. Read.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Veneris 26 die Augustii 1715.

THe last Vote of the Board upon the Resolve of this House for supplying the Treasury, Read again, and

Ordered, That Capt. *Noyes*, Capt. *Fullam*, Mr. *Denison*, Mr. *William Paine*, Mr. *Remington*, and Capt. *Cawley*, be a Committee, to Examine and Consider the Votes that have pass'd this Year between the Houses concerning the Forts at *Casco Bay* and *Brunswick*, and prepare the Draught of a Vote proper for the House to pass in answer to the said last Vote of the Board.

A Petition of *Gershom Woodel* of *Tiverton*, presented to the House & Read, shewing, That he is a weakly person, unable to sustain hard labour to procure a Livelihood, and is therefore desirous to obtain a Licence to keep a Tavern, which the Select-men of the said Town refuse to give their Approbation of, without rendring any reason for their Refusal. Praying, That the Justices of the Quarter Sessions may be enabled to License him, Notwithstanding he has not the Approbation of the Select-men, there being no Taverner in the said Town. Some Testimonials of his Qualifications for such Licence were also Exhibited and Read.

It being Represented, That there is no Inn-holder in the Town of *Tiverton*, and that there is frequent Occasion for an Inn there, for the Entertainment of Travellers, *&c.*

Ordered, That the Petitioner Serve the Select-men of *Tiverton*, with a Copy of this Petition, that they may shew reason to the Justices of the General Sessions of the Peace in the County of *Bristol*, at their next Session, if any they have, why the prayer thereof should not be Granted. And if they do not lay before them sufficient reason why it should not be granted: That then the said Justices be and hereby are Impowred to Grant a Licence as prayed for, without the Approbation of the said Select-men, If it appears to them that the Petitioner is a meet Person to be Licensed. Sent up for Concurrence.

The Vote last entred sent down again, Pass'd upon in Council, *viz.* Read and Concurr'd with the addition of any Law, Usage or Custom to the contrary notwithstanding. Sent down for Concurrence. Read and Concurr'd.

And sent up. [54]

A Plat of the Original Grant of the Township of *Swampfield*, and a Tract of Land adjoyned thereto Platted out therewith, which the Proprietors Desire may be added to the said Township; The Surveyor *Thomas Hastings*, and the Chainmen being under Oath; presented to the House for Allowance and Approbation. And the Question being put, *Whether the said Tract of Land prayed for, being more than Eighteen Thousand Acres, be added to the said Township?*

It pass'd in the Negative.

Ordered, That the Plat of the Original Grant of the said Town, being Nine Miles long and Four Miles Wide, be Allowed and Confirmed to the lawful Proprietors; Provided it interfere with no former Grants.

Sent up for Concurrence.

A Message from the Board by *John Clark* and *Thomas Fitch* Esqs; That they have no business before them, and if there is any to come from this House, they desire to have it quickly, for His Excellency is desirous soon to dismiss the Court.

The Committee appointed, brought in a Draught of a Vote, in answer to the last Vote of the Board on the Resolve for supply of the Treasury, which was Read and Pass'd by the House. *viz.*

This House having for sundry Years past represented, the Fort or Trading House at *Casco Bay* to be of no Service to His Majesty, either as a Barrier to our Frontiers, or Security to our Fishery, and particularly on the Seventh & Tenth Dayes of their Sessions in *June* last, in Concurrence with the Honourable Board, did offer to His Excellency as their Opinion, That it was for His Majesties Service, that the said Fort of *Casco Bay*, be slighted, and no longer continued, and that a Stone Fort near *Pejepscot Falls*, be repaired in stead thereof, as more convenient to cover the new intended Settlements of *Brunswick*, *Topsham*, &c. and to keep the Indians from their Fishery in case of another Rupture; and did further Vote, That no more money be drawn out of the Publick Treasury, for the Subsisting and paying any Officers or Souldiers, at the Fort of *Casco* after the First Day of *September* next; and Ordered a Copy of the Vote to be sent to Mr. Treasurer, for his future Direction, to which the Council did concur; and having on the Twenty eighth Day of *July*, Ordered the Sum of Five Hundred Pounds to be Issued out of the Treasury for repairing the said Fort at *Pejepscot Falls* (which Fort was built by Sir *Edmund Andross* as the best bridle to the Eastern Indians) And did Grant the Number of Fifteen Men as a Garrison for the said Fort, who are now the greatest part on the Place, to secure the Work-men in repairing and finishing the same, to receive the Stores from *Casco*, where they may be in greater Danger by the ruinous State of the Fort, than they will be at *Pejepscot* by the First of *October*; And the House thereon Resolved, That no more Money should be raised, for the Subsistence of the said Fort at *Casco* after the First Day of *October* next, and Asserted it, as their undoubted Right to Appropriate their Grants; which Resolve has been revived this Session; and as it is no Infringement on His Maj-

esty's Honour or Service, but agreeable to the Charter, and a great Ease to His Majesty's Subjects. *Therefore Resolved*, That the House do adhere to their former Vote; and they think themselves bound in Duty to His Majesty and the People they Represent, so to do. Sent up.

Ordered, That the several Petitions referr'd to this Session, be continued, and referr'd to the next Fall Session.

Post Meridiem.

Ordered, That Col. *Winthrop*, and Mr. *William Paine*, be desired to Consult with the Treasurer what are the several Articles of the ordinary Charge of the Province annually, and make Report to this House at their next Session.

A Message sent up to the Board by Mr. *Newman*, and Mr. *Partridge*, That there is no business lying before the House, and if there be any to come from the Council they desire to receive it.

And then the House Adjourn'd till to Morrow Morning Nine a Clock. [55]

Sabbati 27 die Augustii 1715.

A Message sent up to the Board by Mr. *William Paine*, Col. *Thaxter*, and Capt. *Cawley*, To inquire whether the Council had Concurr'd to the Votes of this House Granting 500 Acres of Land to Mr. Speaker *Burrill*; and for the annual Printing proposed to be done for the Government. And to desire if there is any business to come from the Board, that it may be sent as soon as conveniently may be, the House having none before them. Who Return'd, That the Council said, the said Votes were now under their Consideration.

The Resolve of this House for supply of the Treasury, sent down from the Board with the following Vote, *viz.* In Council *Aug.* 27th. 1715. The Resolve of the House of Representatives of the 24th Currant being read, Concurr'd with, only extending the Limitation relating to *Casco Fort*, to the First of *November* next ensuing; And Ordered, That the Undertakers to build the Fort at *Pejepscot*, be directed with utmost Speed and Diligence to Proceed in that affair, and accomplish the same by the time, so that it may be capable, to receive and entertain the Men and Stores proposed; and that if it be not possible to build and finish the said Fort according to the Order of this Court by the time, then what is wanting to be made up by Stockadoes, to Secure and make it defensible, until the Season will Allow the Stone-work to be finished. Sent down for Concurrence.

Read and Concurr'd.

Ordered, That a Message be sent up to the Board, Desiring that the Stores may be remov'd from *Casco* to *Pejepscot Fort*, as soon as the latter shall be ready to receive them, which is hop'd will be sooner than the First of *November*: Which

was carried up by Capt. *Noyes*, Mr. *William Paine*, and Mr. *Epps*, who return'd, That His Excellency said, He would do all that he had said concerning it.

A Motion being made that the House will now have the Consideration of making an Allowance to Mr. Agent *Dummer*, for his Service. After some Debate.

The Question being put, It pass'd in the Negative.

Ordered, That the Consideration of that Affair be Referred to the next Session.

A Message to His Excellency the Governour by Col. *Winthrop* and Capt. *Noyes*, That the House desire to be Inform'd, Whether his Excellency has Consented to the Resolve for supplying the Treasury, with the Amendments made to it; being willing to Proceed to Grant the usual Allowances, if the Treasury is enabled to pay them. Who return'd answer, That His Excellency said, He should under-write it, before he went out of the Court.

A Message from the Board by *John Clark* and *Thomas Fitch* Esqrs; That the House would make Allowance for Mr. Secretary *Addington*'s Service, the time he liv'd after his last Allowance was made.

And to Mr. *Joseph Hiller* for the time he has Serv'd as Clerk of the Council.

A Message to the Board by Capt. *Fullam*, and Mr. *Knolton*, That the House is ready to Grant the usual Allowances, as soon as they are Certified that His Excellency has Sign'd the Resolve for Supplying the Treasury.

Who Return'd answer, That His Excellency said, He should not Sign it this Day, It not being customary for him to Sign the Votes of the Court before they were entred Fair in a Book: But that He would Sign it before any Money was drawn out of the Treasury.

A Message to the Board by Mr. *William Paine*, Capt. *Noyes*, and Col. *Thaxter*, That the House think it necessary, That all Acts and Votes of the Court should be Sign'd, and Perfected before the Session is ended. And that the Return of a Message from His Excellency this Day Inform'd the House, That His Excellency was pleas'd to say, He would under-write the Vote for supply of the Treasury before he went out of the Court.

Who Return'd, That His Excellency said, It had hitherto been his Custom to Sign the Votes of the Court after they are entred Fair in a Book, and not in the Original Draught: And that he is not willing to alter it now. [56]

Post Meridiem.

Mr. *Hiller* brought down the Vote for Supplying the Treasury, Subscrib'd by His Excellency: *viz. I Consent to this Grant.* *J. DUDLEY.*

Ordered, That the Votes of this House in the present Session be Imprinted upon the foot of the Agreement with Mr. *Green* the Printer: And that the Representatives of *Boston* be desired to take the Care of having them Printed.

Resolved, That the Sum of Two Hundred and Fifty Pounds, be Allowed and Paid out of the Publick Treasury to His Excellency *JOSEPH DUDLEY* Esqr; Captain General, and Governour in Chief of this His Majesty's Province, for his Support in Managing the Affairs of the Government.

Sent up for Concurrence.

Resolved, That the Sum of Fifty Pounds, be Allowed and Paid out of the Publick Treasury, to the Honourable *William Tailer* Esqr; in Consideration of his readiness at all times to Serve this Province. Sent up for Concurrence.

Resolved, That the Sum of Three Hundred Pounds, be Allowed and Paid out of the Publick Treasury, to the Honourable the Judges of the Superiour Court of Judicature, in Proportion to the Courts they attended the Year past.

Sent up for Concurrence.

Resolved, That the Sum of Forty Pounds, be added to the Allowance of the Reverend Mr. *John Leverett*, President of Harvard College, for the Year Currant beginning in *January* last, and Paid out of the Publick Treasury, in Consideration of the extraordinary Scarcity and Dearness of Provisions, and other Necessaries of House-Keeping. Sent up for Concurrence.

Resolved, That the Sum of Two Hundred and Twenty-five Pounds, be Allowed and Paid out of the Publick Treasury, to Mr. *Jeremiah Allen*, Treasurer of this Province, for his Service the Year past, his Trouble being extraordinary in Changing the Bills of Credit, and taking care for the supply of the Garrisons.

Sent up for Concurrence.

Resolved, That the Sum of Twenty Pounds, be Allowed and Paid out of the Publick Treasury to Mr. *John White* Clerk of this House, in Part for his Service the Year Currant. Sent up for Concurrence.

Resolved, That the Sum of Twenty Pounds, be Allowed and Paid out of the Publick Treasury to Mr. *Joseph Hiller*, for his Service as Clerk of the Honourable Council, for half a Year, beginning the 13th Day of *March* last.

Sent up for Concurrence.

Resolved, That the Sum of Forty Pounds, be Allowed and Paid out of the Publick Treasury to Mr. *John Flagg*, Door-keeper to His Excellency the Governour and Council, and this Court, for his Service the Year past, ending the 26th Day of *June* last. Sent up for Concurrence.

A Message from the Board by *Eliakim Hutchinson*, *Andrew Belcher*, and *Addington Davenport* Esqrs; Moving the House to Grant an Allowance to Mr. Agent *Dummer* at this time, It being more than a Year since any Allowance has been Granted to him.

A Message sent up to the Board by Capt. *Chambers*, and Capt. *Fullam*, That the House have already Voted to Refer the Consideration of Making an Allowance to Mr. Agent *Dummer*, to the next Session. And desire if the business of the Session be finished that the Court may Rise.

Who Return'd, That His Excellency desired the House now to Consider Mr. *Dummer*'s Service, as they use to do.

A Message from His Excellency the Governour by *Edmund Quincey* Esq; That Mr. Speaker and the House do now Attend Him in the Council Chamber.

Which they did accordingly, and His Excellency Prorogu'd the Court, to *Wednesday* the 28*th* Day of *September* next, at Ten a Clock in the Forenoon.

BOSTON: Printed & Sold by B. Green. 1715.

Anno Regni Regis GEORGII nunc Magnæ Britanniæ, &c. Secundo.

JOURNAL

Of the House of Representatives.

At a Great and General Court or Assembly of His Majesty's Province of the Massachusetts-Bay in New-England, begun & held at Boston, upon Wednesday the 30th Day of May, Anno Domini, 1716.

S*Amuel Sewall, Penn Townsend, & John Higginson* Esqrs; came down from the Council Board and Acquainted the House, That they were Appointed and Authorized by His Honour the Lieutenant Governour, That this House should Take the Oaths, Make and Subscribe the Declaration, Take and Subscribe the Oath of Abjuration, (as by the Royal Charter of this Province is Directed,) before them, which being done by all the Members present, they withdrew.

The Names of the Persons Returned to Serve for, and Represent the several Towns, are as follows, *Viz.*

Boston, { Oliver Noyes Esq; William Payne Esq; Elisha Cooke Esq; Anthony Stoddard Esq;
Roxbury, Mr. William Denison
Dorchester, Mr. Hopestil Clap
Hingham, Samuel Thaxter Esq;
Brantrey, Capt. John Mills
Dedham, Mr. John Fuller
Medfield, Mr. John Fisher
Weymouth, Capt. John Hunt
Milton, Mr. Ephraim Tucker
Wrentham, Mr. Ebenezer Fisher
Mendon, Josiah Chapin Esq;
Brookline, ———
Woodstock, ———
Needham, ———
Salem, { Mr. John Pickering, Mr. John Gardner
Ipswich, { Mr. Daniel Rogers, Mr. John Denison
Lynn, John Burril Esq; Speaker.
Newbury, { Lt. C. Henry Somersby, Mr. William Moodey
Marblehead, Mr. Richard Trivet
Andover, Mr. John Osgood
Beverly, Mr. Samuel Balch
Rowley, Mr. Ezekiel Northen
Salisbury, Capt. Henry True
Haverhill, John White Esq;
Glocester, John Newman Esq;
Topsfield, Mr. Daniel Clark
Boxford, Mr. Joseph Hale
Wenham, Mr. William Fisk
Amesbury, Mr. John Foot
Bradford, Mr. Thomas Carleton
Charlestown, { Charles Chambers Esq; Jonathan Dowse Esq;
Cambridge, Col. Edmund Goffe
Watertown, Mr. Thomas Strait
Concord, Mr. William Wilson
Woburn, Mr. John Pierce
Reading, Mr. Joshua Eaton
Sudbury, Mr. Edmund Rice
Marlborough, Mr. Thomas Rice
Newton, Mr. John Ward
Malden, Mr. Phineas Upham
Chelmsford, Mr. Stephen Pierce
Billerica, Mr. George Brown
Sherburn, Mr. Benjamin Whitney
Groton, Mr. John Shepley
Lancaster, Mr. John Houghton
Framingham, Col. Jos. Buckminster
Medford, ———
Lexington, Capt. William Reed
Weston, Mr. Josiah Jones
Stow, Mr. John Buttrick
Springfield, Luke Hitchcock Esq;
Northampton, Maj. John Stoddard
Hadley, Mr. John Nash
Hatfield, Mr. John Partridge
Southfield, Mr. Atherton Mather
Westfield, Mr. John Ashley
Enfield, ———
Deerfield, Capt. Jonathan Wells
Plymouth, Nath. Thomas Esq;
Scituate, Mr. Thomas Turner
Bridgewater, Capt. John Field
Marshfield, Capt. Isaac Little
Duxbury, Mr. John Partridge
Rochester, Samuel Prince Esq;
Pembrook, Capt. Joshua Cushing
Middleborough, Capt. Ja. Tompson
Barnstable, Daniel Parker, Esq;
Eastham, Mr. Samuel Knowles
Sandwich, Col. William Basset
Yarmouth, Peter Thacher Esq;
Harwich, Mr. Thomas Clark
Truro, ———
Bristol, Capt. Samuel Gallop
Taunton, Henry Hodges Esq;
Dartmouth, Capt. John Akin
Rehoboth, Capt. Moses Reed
Little-Comp. Capt. W. Southworth
Swansey, John Rogers Esq;
Tiverton, Mr. Gershom Wodell
Attleborough, Mr. Dav. Freeman
Dighton, Mr. Benjamin Jones
Norton, George Leonard Esq;
Freetown, Mr. Robert Durfey
York, Mr. Samuel Cane
Kittery, Mr. Joseph Hammond
Wells, Mr. William Sawyer
Berwick, Capt. Samuel Plaisted
Edgartown and *Chilmark*, { ———
Nantucket, James Coffin Esq;

The House proceeded to Write their Votes for a Speaker, which being Collected and Examined, it appear'd that *John Burril* Esq; was chosen by a major part of the House, He was accordingly Conducted to the Chair. [2]

The House proceeded to the Election of a Clerk by written Votes, which being Collected and Examined, it was found that Mr. *John White* was chosen by a major part of the House, who was accordingly sent for to the House.

Post Meridiem.

A Message sent up to the Board by Capt. *Noyes*, and Col. *Somersby* to report to His Honour the Lieutenant Governour, the Choice the House had made of a Speaker.

A Message from His Honour the Lieutenant Governour by *Addington Davenport* and *Samuel Brown* Esqrs; That the Choice the House have made of a Speaker, is very acceptable to him.

A Message sent up to the Board by Mr. *Rogers*, and Mr. *Trivet*, That the House are now ready to proceed to the Choice of Councellors.

Who return'd that the Board is ready to joyn with the House in the Election.

Ordered, That Capt. *Noyes*, Mr. *Cooke*, Col. *Thaxter*, Mr. *Rogers*, and Mr. *William Denison*, be a Committee to carry up the Votes of this House for Councellors, and assist in Sorting and Numbring them, together with the Votes of the Board, and to Report to the House the several Elections that shall be made.

The said Committee carried up the Votes of the House for Councellors in the late Colony of the *Massachusetts-Bay*, and Return'd that Eighteen were chosen by a major part of the Voters.

Then for the late Colony of *New-Plymouth*, & Return'd that Four were chosen as aforesaid.

Then for the late Province of *Maine*, and Return'd that Three were chosen as aforesaid.

Then for the Territory between *Sagadehoc* & *Nova Scotia*, and Return'd that One was chosen, as aforesaid.

And lastly, for Persons dwelling in any Part of the Province, and Return'd that Two were chosen, as aforesaid.

And Reported the Names of the Persons chosen to be as follows, *viz.*

Of the Inhabitants or Proprietors of Lands in the Territory formerly called the *Massachusetts-Bay*.

The Hon. *William Tailer* Esq;
Samuel Sewall Esq;
John Higginson Esq;
Thomas Noyes Esq;
Addington Davenport Esq;
Samuel Brown Esq;
Wait Winthrop Esq;
Penn Townsend Esq;
Andrew Belcher Esq;
Nathanael Norden Esq;
John Clark Esq;
John Pynchon Esq;
Elisha Hutchinson Esq;
John Appleton Esq;
Edward Bromfield Esq;
Benjamin Lynde Esq;
Thomas Hutchinson Esq;
Thomas Fitch Esq;

Of the Inhabitants, or Proprietors of Lands within the Territory formerly called *New-Plymouth* viz.

Nathanael Byfield Esq; *Isaac Winslow* Esq; *John Cushing* Esq; *John Otis* Esq;

Of the Inhabitants, or Proprietors of Land within the Territory formerly called the Province of *Maine*, viz.

Eliakim Hutchinson Esq; *John Wheelwright* Esq; *Adam Winthrop* Esq;

Of the Inhabitants, or Proprietors of Lands lying within the Territory between *Sagadehoc*, and *Nova Scotia*, viz.

Joseph Lynde Esq;

Of the Inhabitants, or Proprietors of Lands in any Part of the Province.

Nathanael Paine Esq; *Edmund Quincey* Esq;

And then the House Adjourn'd till to Morrow Morning Ten a Clock.

Jovis 31 die Maii. 1716.

Ordered, That *Oliver Noyes*, *Elisha Cooke*, *Samuel Thaxter*, *William Denison* Esqrs; and Mr. *Daniel Rogers*, Wait on His Honour the Lieutenant Governour, with the above Written List of the Councellors or Assistants, newly chosen for the Year ensuing, for His Honours Approbation of the Persons therein Named, to be given in Writing under his Hand.

The House proceeded to Examine the Returns of the Precepts, made from the several Towns of the choice of their Representatives.

Which being severally done,

The usual Orders of the House were Read: And [3]

Ordered, To be the Orders of the House during the Sessions thereof, with some little Amendment.

Post Meridiem.

The List of Councellors newly chosen Returned from the Board by *Nathanael Byfield*, *Andrew Belcher* & *Addington Davenport* Esqrs, there being entered thereon as follows, *viz.*

The within Elections were duly made by the Council and the Representatives.

Samuel Woodward, Secr.

And by the Lieutenant Governour, *viz.*

I Consent to, and Approve of the within Election of Councellors. Given under my Hand, *May* 31. 1716. At *Boston*. *Wm. TAILER.*

Ordered, That Col. *Thaxter*, Capt. *Noyes*, and Mr. *Parker*, be a Committee to consider the subject matter, and Examine the Allegations of the Petitions, that shall be presented to the House, and report their Opinion thereon, as they shall be committed to them.

A Message from His Honour the Lieut. Governour, by Mr. Secretary *Woodward*, That this House do attend him in the Council Chamber immediately.

Accordingly Mr. Speaker with the House went up; And His Honour the Lieut. Governour made a Speech to the Court, whereof Mr. Speaker obtained a Copy, and with the House Returned to their own Chamber. His Honours Speech was Read, and is as follows, *viz.*

Gentlemen,

AT our last parting I had little Expectation of now speaking to you from the Chair, believing His Excellency Col. BURGES *our Governour would before this time have happily Arrived among us, and I am well assured he may be daily expected, and that he comes with full Resolutions to do his utmost for the Interest of this Province, which he has signified to the Council in divers of his Letters, and has likewise expressed his grateful sense of the Honourable Provision you have made of so suitable a House for his Reception, in which you have not only obliged him but done much Honour to your selves.*

Therefore my time in this Station will in all Probability prove short, yet to the last Moment of it I shall rejoyce to meet with any Opportunity of shewing my Zeal and Affection to the Crown, and the true Interest of my Native Country; and doubt not but you all come with hearty and sincere Dispositions to promote both in your respective Stations. The good Agreement with the last General Court, gives me great hopes to meet the same in this. And I should esteem it the happiest Circumstance of my Life to have the Honour of delivering up the Government in a perfect Unity between both Houses, which would contribute to your own Reputation and the Disappointment of those few, who have with great Industry endeavoured to prevent it.

Gentlemen,

His Excellency Bragadier Hunter *favoured me with the Commissioners of* Albany's *Report to him, as if the Indians had some Designs of making an Attempt on our Frontiers in the Spring, which I immediately communicated to His Majesty's Council, who were of Advice that it was proper to reinforce* Fort George, *as likewise the New Settlement of* Arowsick, *with Ten Men each, which accordingly I have done. And on* Monday *last by an Express from the Honourable Lieut. Governour* Vaughan, *I have received Intelligence that gives further Grounds for Suspicion, and nothing but the General Election prevents me from doing my Duty to my Country in Visiting the Frontiers, and putting 'em into a suitable posture of Defence, but I have dispatched Expresses to the Commanding Officers, to give timely Advice to their several Towns in order to prevent a Surprize; what other Methods I have taken in this Affair I shall lay before you; And I think it a proper Season to offer it as my Opinion, that nothing can be of more Service both for the Crown and this Country, than for both Houses to be Unanimous in Supporting and Encouraging the New Settlements.*

Gentlemen of the House of Representatives,

I shall Order Mr. Treasurer to lay before you the state of the Treasury, in which I

believe you will find no unnecessary Article of Charge, and therefore have no reason to doubt but you will make all suitable Provision for Support of the Government in the ensuing Year. And as it has pleased Almighty GOD of His Infinite Wisdom and Goodness, to frustrate the Counsels of Evil and Rebellious Traitors in their late Unnatural Rebellion against the best of Kings, which had a Tendency to Extirpate the whole Royal Family; so now Gentlemen, *We have an Opportunity to Congratulate His most Sacred Majesty on this His great Deliverance, by way of an Address; and to Assure His Majesty of our Constant and Steady Loyalty and Affection to His Person and Government, and that we will with our Lives and Fortunes as we have Opportunity, Defend His Rightful Title to the Crown of* Great Britain, *and the Dominions and Provinces depending thereon, as also to the Protestant Succession as by Law Established against all Pretenders whatsoever.*

Gentlemen,

This is usually the Session for Business, which I shall give all the Encouragement I can to forward, but if upon the Expectation of His Excellency's sudden Arrival you incline to make it short, I shall [4] *readily consent to it. If any proper Methods can be found out for the promoting the produce of this Country, and so consequently the Trade thereof, I shall chearfully concur with you therein. I have nothing more to add, but to express my sincere Wishes that the Crown may long Flourish on the Head of our Soveraign Lord King* GEORGE, *with all its Ancient Prerogatives, and that it may from Him descend to His Illustrious Family to lasting Posterity.*

Isaac Winslow Esq; brought down from the Board several Letters that had been Express'd to His Honour the Lieut. Governour from the Eastward, Importing Apprehensions of a Rupture with the Indians there, which were read and sent up.

Ordered, That Mr. *Payne*, Col. *Basset*, Mr. *Anthony Stoddard*, Capt. *Chambers*, Mr. *Rogers*, Mr. *Thomas*, Capt. *Gallop*, Mr. *Hammond*, and Major *Stoddard* be a Committee to Examine and Audit the Treasurers Accounts, and make report to the House.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Veneris 1. die Junii, 1716.

HIs Honour the Lieutenant Governours Speech Read again.

Ordered, That *William Denison*, *Elisha Cooke*, *Oliver Noyes*, *William Basset*, and *Edmund Goffe*, Esqrs; with such as the Honourable Board shall appoint, be a Committee to prepare and lay before the Court, the Draught of a Humble Address to His Majesty, in the Name of this Court. The Address when finisht, to be Transmitted to His Excellency Col. *Elizeus Burges* our Governour, and in case of His Absence to the Right Hon. Mr. Secretary *Stanhope*.

Sent up for Concurrence.

The following Vote sent down from the Board, *viz.* In Council, *May* 31*st.* 1716. Upon Reading the Expresses from the Eastward, giving just Grounds to suspect the Indians intend mischief to our Frontiers, which we conclude is fomented by false Reports of a War likely to break out between *Great Britain* and *France.* It being much for His Majesty's Service, and the Security and Peace of this Province, that some Method be immediately taken for undeceiving the Indians in that matter.

Advised, That some Discreet Person, with an Interpreter, be forthwith Dispatched to their Head Quarters to let them know, that we justly take Umbrage at the suspicious Words and Deportment they have lately been guilty of, contrary to the Peace Established, That we are desirous to remain in Peace, but if they against their Faith & Allegiance, Commit any Hostilities, they must expect to be treated as Rebels and Enemies to the Crown of *Great Britain.* Yet if they act upon supposal of a War with *France,* we do assure them there is no War to be Expected, but a perfect Amity between the Two Crowns. That the Pretender has been driven out of *Great Britain,* his Forces wholly Defeated, and he with his Adherents, ordered by the Regent, to Depart the Dominions of *France.*

Sent down for Concurrence.

Read and Concurr'd, and further Advised, That some British News-Papers be sent, to be Read and Interpreted to the *Indians,* to satisfy them of Peace between the Two Crowns.

A Message sent up to the Board by Capt. *Noyes,* Col. *Goffe,* and Col. *Somersby,* desiring that this House may be informed, whether the Votes of this Court for Demolishing of *Casco Fort,* and the removing of the Stores from thence, have been Attended and Complyed with.

Mr. Secretary *Woodward* brought down the Council Book, and shewed, That in Answer to the Memorial of Capt. *Samuel Moodey,* laid before His Honour the Lieut. Governour in Council, the further proceeding in that Affair had been suspended till the meeting of this Court, and then withdrew.

This House being informed, That the Votes of this Court to Demolish *Casco Fort* and Remove the Stores from thence are not yet fully Complyed with: which this House Apprehend may be of dangerous Consequence, by exposing His Majesties Stores, and the few People that still remain there, contrary to the Acts of this Courts, to the Insults of the *Indians.*

Resolved, That His Honour the Lieutenant Governour be desired, to direct a full Performance of the Votes of this Court in that Affair, and order the removing of the Stores to *Boston,* and the intire Demolition of the *Fort,* and Houses therein without delay.

Sent up for Concurrence.

By several Messages that Pass'd between the Houses, it was Agreed, That the Person, to be sent to the Head-Quarters of the Eastern *Indians,* pursuant to the Vote of this Day be Mr. *John Watts,* and Capt. *John Gyles.* [5]

3 Post Meridiem.

Ordered, That Mr. *Cooke*, Col. *Thaxter*, Col. *Goffe*, Capt. *Chambers*, Capt. *Gardner*, Col. *Somersby*, Mr. *Thomas*, Col. *Basset*, Major *Stoddard*, Capt. *Southworth*, and Mr. *Hammond* be a Committee to consider and propose to the House, such Method as they think most effectual to obtain a true and just Valuation of the Rateable Estate of this Province, in order to a more just and equal Levying of Taxes upon the several Towns.

A Petition of *Mary Woodcock* Widow, Relict of *William Woodcock*, late of *Attleborough*, Deceas'd, Presented to the House and Read, Praying that she may be enabled to Sell some Lands, that were her said late Husbands, for her Support and Maintenance in her old Age.

And after Debate, The Question being put, *Whether the Prayer of the Petition be Granted?*

It pass'd in the Negative.

A Petition of *Combs Humphry* of *Marblehead*, presented to the House and Read, Praying that he may be allowed Wages for Two Years & Nine Months, that he was in Captivity at *Canada*, having been taken in the Service in the late War, and that he may be reimbursed *Three Pounds* he expended in his Sickness there, and *Five Pounds* he paid for his Ransom. Committed.

A Petition of *Jacob Davis*, *John Riggs*, *William Hascell*, & others, living on the Westerly side of *Annasquam-River*, and *Little-River* in *Glocester*, Presented to the House and Read, Praying that they may be set off, and Erected into a distinct and separate Precinct, for the Support & Maintenance of the Gospel Ministry, according to the Bounds therein described.

A Petition of *Peter Coffin*, and Fifteen others, Inhabitants of the Town of *Glocester*, dwelling on the Westerly side of *Annasquam-River*, Presented to the House and Read, Praying, That a Precinct may not be Constituted as is prayed in the aforementioned Petition, for Reasons therein alledged.

The following Vote pass'd & entred on the Petition of *Jacob Davis*, *John Riggs*, &c. *viz.*

Ordered, That the Petitioners serve *Peter Coffin*, and others, whose Names are Subscribed to a Petition accompanying this, Desiring that the Prayer thereof may not be Granted, with a Copy of this Petition; and notify them that they may be heard before this Court on *Tuesday* the Twelfth Instant, if they continue to object against the same.

Sent up for Concurrence.

A Report of *John Cushing*, *Edmund Quincey*, *George Leonard*, *Henry Hodges*, & *Jacob Tompson*, a Committee appointed by this Court to divide the Town of *Bridewater*, into Two Precincts, sent down from the Board, pass'd upon there, *viz.* In Council *June* 1. 1716. Read and Accepted.

Sent down for Concurrence. Read.

A Petition of *John Bridgham* & Twenty Nine others, presented to the House & Read, Praying that a Tract of Land containing the Quantity of Seven Miles square, lying between, and contiguous to the Towns of *Sutton*, *Marlborough*, *Worcester*, *Lancaster* & *Assanamisco*, may be Granted to them (excepting the Grants already made within the said Bounds) and be Constituted a Township.

A Message from the Board, That the House now come up to the Council Chamber, to attend a Hearing appointed to be this Day on the Petition of *Isaac Wonno*, and *Joshua Shantum* Indians, Agents for *Ketteticut*, between them and the Town of *Bridgewater*.

Mr. Speaker and the House went up accordingly, and both Parties being fully heard, were dismist, and Mr. Speaker with the House return'd to their own Chamber.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Sabbati 2 die Junii, 1716.

A Draught of Orders and Instructions to Messieurs *Watts* and *Gyles*, and to the Master of a Sloop to attend them Eastward, sent down from the Board.

Read.

The Petition of *Combs Humphry*, praying as entred yesterday, further considered, and the report of the Committee thereon, Read and accepted by the House and accordingly

Resolved, That the Sum of *Six Pounds* be allowed and paid out of the Publick Treasury to *Combs Humphry* the Petitioner, in full of his Petition.

Sent up for Concurrence.

A Petition of *John Sterns*, and Five others, the Committee for the great Bridge in *Billerica*, presented to the House and Read, Shewing That the said Bridge is so far gone to Decay, that there is a necessity of its being speedily rebuilt, praying the Court to give their Direction, in what manner it shall be rebuilt, and maintained for time to come, there having been formerly an Act of this Court for the Building of the said Bridge

Ordered, That the said Petition be referred to the Justices, in their Quarter Sessions in the County of *Middlesex*: And that a Bill be drawn accordingly.

Sent up for Concurrence. [6]

A Petition of *Josiah Chapin* of *Mendon*, Esq; presented to the House and Read, praying as entred the Eighth of *June* last; what was then and since acted on that his Petition, not having pass'd through the Court.

Ordered, That the Prayer of the Petition be Granted, and that the Land be forthwith laid out in a proper regular Form, by an able Surveyor and Chain-Men under Oath, The Plat thereof to be laid before this Court for Approbation.

Sent up for Concurrence.

An Accompt of *John Dyer* Treasurer of the County of *Plymouth*, beginning the Third Tuesday of *June*, 1714. and continued to the First Tuesday of *March*, 1715. having been pass'd by the Court of Quarter Sessions in the said County. Presented to the House for Allowance. Read, and Allow'd.

Sent up for Concurrence.

A Draught of a Humble Address to His Majesty, prepared by the Committee of both Houses appointed for that end. Sent down from the Board pass'd on there, *viz. June 2d.* 1716. Read and Accepted. Sent down for Concurrence.

Read and Concurr'd.

A Memorial of Dr. *Cotton Mather*, presented to the House and Read. Proposing it to their Consideration that Allowance may be made to his Reverend Father Dr. *Increase Mather*, for his Service as Agent for this Province at *Whitehall* formerly, as was done to others for the like Service, the last Year.

An Accompt of *Ebenezer Lewis*, Treasury of the County of *Barnstable*, for the Year 1715. having been pass'd by the Court of Quarter Sessions in the said County. Presented to the House for Allowance. Read and Allowed.

Sent up for Concurrence.

A Draught of a Letter from this Court to his Excellency Col. *Elizeus Burges*, desiring him to receive and prefer the Humble Address of this Court, to His Majesty. Sent down from the Board, pass'd on there, *viz. June 2d.* 1716.

Read and Accepted.

A Draught of a Letter from this Court to the Right Honourable *James Stanhope* Esq; one of His Majesties Principal Secretaries of State, to be delivered in case of his Excellency Col. *Burges* his absence, requesting his favour to receive and prefer the said Humble Address to His Majesty. Sent down from the Board, pass'd on there, *June 2d.* 1716. Read and Accepted.

And then the House Adjourn'd till Tuesday Morning Nine a Clock.

Martis 5. Junii, 1716.

A Report Signed by *John Clark*, *Addington Davenport*, *Thomas Fitch*, *Oliver Noyes*, *William Payne*, *Elisha Cooke*, *Charles Chambers*, and *William Denison*, the Committee appointed by this Court, in the recess thereof to receive of the Treasurer, bundle up and Burn, torn and Defaced bills of Credit on this Province. Dated *April* 23. 1716. Shewing that they had then received and burnt to Ashes the Sum of *l.* 9180 8 *s.* 2 *d.* neat Bills. *l.* 3561 5 *s.* part thereof was received for Taxes, Impost and Excise, which, with the advance of Five *per Cent.* as they were received into the Treasury, added thereto, amounts to the Sum of *l.* 3739 6 *s.* 3 *d.* also *l.* 3000. neat Bills Exchang'd in the Treasury, and *l.* 2619 3 *s.* 2 *d.* neat Bills, received of the Trustees for the Letting out the *l.* 50000, Bills of Credit, making in the whole the Sum of *l.* 9358 9 *s.* 5 *d.* Read, and

Ordered, That the said Report be Accepted, and that the Treasurer be discharged of the Sum of *l.* 9358 9 *s.* 5 *d.* accordingly. Sent up for Concurrence.

A Petition of *Joseph Bramhall*, lately a Soldier at *Castle-William*, and there taken Sick, and by reason of his Sickness dismist from that Service, presented to the House and Read, Praying that he may be allowed and reimbursed the Sum of *Twenty Pounds*, which he has Expended on Physicians, Nurses, Attendance, &c.

Committed.

A Motion being made by one of the Representatives of the Town of *Boston*, pursuant to Direction from the said Town, that this Court would provide a suitable House or Hospital, in some proper place for the reception of Infectious Persons that may happen to be Imported, to prevent Infectious Sickness being spread in the Province.

Ordered, That Mr. *Parker*, Capt. *Noyes*, and Mr. *Turner*, be a Committee to prepare and lay before the House a Bill for that end.

A Petition of *Joseph Hammond*, in behalf of the upper or North Parish in the Town of *Kittery*, presented to the House and Read, Praying that the Votes of this Court, relating to the said Town may be so Explained, as that it may be clearly determin'd, whether the Inhabitants between *Sturgeon-Creek*, & *Thomsons Brook*, belong to the upper Parish, of the said Town of *Kittery*, or not.

Charles Frost Esq; having intimating his desire, was admitted into the House, and spake [7] to the subject matter of the said Petition, and presented an Answer thereto in Writing, which was Read and laid on the Table, and then he withdrew.

Resolved, That the Inhabitants which dwell between *Sturgeon-Creek* and *Thomsons Brook* that did belong to the Parish of *Berwick*, were by this Court taken off from *Berwick* Parish, when they were Constituted a separate Township. And that from thenceforth they did, and now do belong to the Town of *Kittery*, to all intents & purposes whatsoever.

And inasmuch as there is an unhappy Difference arisen in the upper Parish of *Kittery*, about the place of setting their Meetting-House, which they find difficult to issue amicably.

Ordered, That *John Wheelwright* Esq; Capt. *Abraham Prebble*, and Capt. *Lewis Bane* be a Committee to go upon the Spot, and view, and consider the Extent and Situation of the said upper Parish, and of the several Houses and Settlements there, and determine the place as they think most proper, (all things considered,) whereon to place the Meeting-House for the said Parish, and make report to this Court, the said upper Parish to bear the Charges of the said Committee. And that the said Committee be impowered to settle the Bounds between the Towns of *Kittery* and *Berwick*, according to the Order of this Court, *Anno* 1713.

Sent up for Concurrence.

A Petition of *John Arms* of *Deerfield*, presented to the House and Read, Pray-

ing That his forward Service in the late War against the Indian Enemy, and his Sufferings by them, having been Wounded, and carried Captive to *Canada*, and continued so Eight Months, may be considered, and such Allowance made to him as this Court shall think proper. Committed.

Mr. Treasurer *Allen* at his Desire was admitted into the House, and presented his Accompts of the Treasury. The present state of the Treasury Read, & Explained by him, and then he withdrew.

The Account of the several Receipts and Payments in the Treasury in the Year past Read.

3 Post Meridiem.

A Journal of Capt. *Thomas Bakers* Travel, up & down Connecticut River, to observe the Motions, and gain Intelligence of the Posture and Designs of the Indians that way. Sent down from the Board, Read, and sent up again.

A Vessel being arrived from *Great-Britain* with Intelligence, that Col. *Burges* is not now design'd to come Governour of this Province, A Message was sent up to the Board by Capt. *Noyes*, and Capt. *Chambers*, moving that the Letter from this Court to Col. *Burges*, desiring him to prefer the Humble Address of this Court to His Majesty may be stop'd.

Who returned Answer, That His Honour the Lieut. Governour had taken care to do it.

A Petition of *Edward Hutchinson* Esq; and Seven others in behalf of the Settlement at *Arowsick-Island*, presented to the House and Read, Praying that an Addition may be made to the *Twenty-Six* Men, already allowed them in the Publick pay, or that at least they may be for some time continued to them, to incourage the Inhabitants under Apprehensions from the suspicious Behaviour of the Indians; And that the said Settlement may be Constituted a Township by the name of *George-Town*.

A Petition of *William Pickering*, and Six others, Select Men of the Town of *Salem*, presented to the House and Read, shewing, That an unhappy Difference is arisen in the said Town concerning their common or undivided Lands, having Two Commoners Meetings, and Two Sworn Clerks belonging to them. Praying that the said Two Clerks may be Summoned to appear before this Court, with all the Papers and Records in their keeping, referring to the said Commons, That this Court may have Cognizance of, and Determine the said Difference.

And the Question being put, *Whether the Prayer of the Petition be Granted?*

It pass'd in the Negative.

A Message sent up to the Board by Mr. *Parker*, and Capt. *Noyes*, Desiring that such Bills, as pass'd this House the last Sessions, and did not pass thro' the Court, may be sent down to the House.

A Petition of *Jonathan Fuller*, *&c.* of *Newton*, sent down from the Board, And

upon Reading the Direction of it, it was observed to be to His Honour *William Tailer* Esq; Lieut. Governour and Commander in Chief, *for the time being.*

Ordered, That it be sent up again, That the Petitioners may be Directed to Expunge that improper & unusual Clause, *for the time being*, before their Petition is further considered.

Ordered, That Mr. *Cooke*, Mr. *Parker*, and Mr. *Turner*, be a Committee to consider what Laws are near Expiring, and ought to be continued, and to prepare a Bill or Bills for that end, and to prepare and lay before the House a Draught of such other Bills, as shall be thought necessary.

And then the House Adjourn'd till to Morrow Morning Nine a Clock. [8]

Mercurii, 6. die Junii, 1716.

THe Petition of *John Arms*, praying as entred yesterday, further considered, and the Report of the Committee thereon was Read, & Accepted by the House, & accordingly,

Resolved, That the Sum of *Six Pounds* be allowed and paid out of the Publick Treasury to *John Arms* the Petitioner, in answer to his Petition.

Sent up for Concurrence.

The Petition of *Joseph Bramhall*, praying as entred yesterday, further considered, And the Report of the Committee thereon, which was accepted by the House, and accordingly,

Resolved, That the Sum of *Ten Pounds* be allowed and paid out of the Publick Treasury to the Honourable *Adam Winthrop* Esq; to be improved for the Use and Relief of the Petitioner. Sent up for Concurrence.

A Petition of *Martha Tuttle* of *Ipswich* Widow, Relict of *John Tuttle*, late of the said Town, Deceased Intestate, presented to the House and Read, praying that she may be enabled to pass legal conveyance of a piece of Land, to the Commoners or Proprietors of the said Town, which her late Husband had Exchang'd with them, for some common Lands, but had not made Instruments of such Exchange before his Death.

Ordered, That the prayer of the said Petition be Granted.

Sent up for Concurrence.

A Message from the Board by *John Appleton* Esq; That the Humble Address of this Court to His Majesty is return'd to that Board, and His Honour the Lieutenant Governour desires to know the mind of the House, to whom it should be sent.

Ordered, That a Message be sent up to the Board by Capt. *Noyes*, and Mr. *Payne*, That this House desire the said Address may be sent to His Excellency Col. *Shute*, now appointed the Governour of this Province, in the same manner as it was designed to be to Col. *Burges*.

A Petition of *Nathanael Goodhue*, and *Thomas Choat*, in behalf of the Precinct of *Chebacco*, in *Ipswich*, presented to the House and Read, praying that the Settlement of the Bounds of the said Precinct as agreed between them and the said Town, may be allowed & confirmed by the Court, and that they may be vested with the Powers and Priviledges of a Precinct.

A Copy of the Agreement of the said Bounds was also Exhibited and Read.

A Message from the Board by *Elisha Hutchinson*, *Andrew Belcher*, and *Addington Davenport*, Esqrs; giving reasons for altering the Method proposed by the House for preferring the Humble Address of this Court to His Majesty, which they desired the House to consider, and withdrew.

Ordered, That a Message be sent up to the Board, That the House continue of the same mind they were, as to the preferring the said Address. Sent up by Capt. *Noyes*, and Mr. *Cooke*.

A Petition of *Samuel Lee*, Sen. & *Aaron Bennet* Select-men of the Town of *Manchester*, presented to the House and Read, praying that the said Town may be exempted from the Province Tax for a few Years, for reasons therein mentioned.

A Bill Intituled, *An Act Stating the Fees of the Custom-House Officers within this Province.*

Read a First time.

A Bill Intituled, *An Act in Addition to the Act for Regulating Fees. Stating the Fees of the Officers of the Court of Admiralty.*

Read a First time.

A Bill Intituled, *An Act in further Addition to An Act for making Lands and Tenements, liable to the Payment of Debts.*

Read a First time.

A Petition of *Edward Bishop* and Four others, Inhabitants of the Town of *Ipswich*. Sent down from the Board, not pass'd upon there. Read, praying that they may be set off, and belong to the Precinct in the said Town called the *Hamlet*, for the Maintenance of the Gospel Ministry, and not to that called *Chebacco*, for reasons therein set forth.

Ordered, That the Petitioners serve the Precinct of *Chebacco*, and that called the *Hamlet*, with a Copy of their Petition, and notify them, that they may be heard thereon, if they desire it, on *Friday* the Fifteenth Currant before this Court.

Sent up for Concurrence.

A Draught of a Letter to His Excellency Col. *Samuel Shute*, to accompany the Address of the Court, Sent down, Read. And

Voted, That the House approve thereof. Sent up. [9]

The Petition of *John Brigham* &c. praying as entred the First Currant, Read again, and

The Question being put, *Whether the Prayer of the Petition be Granted?*

It pass'd in the Negative.

The Petition of *Hopestil Brown*, &c. praying as entred the 30*th* of *November* last. Read, and

The Question being put, *Whether the Prayer of the Petition be Granted?*

It pass'd in the Negative.

A Message from the Board, That the House do now come up to the Council Chamber to attend the Hearing appointed to be this Day on the Petition of *Richard Carr*, between him and the Towns of *Newbury* and *Salisbury*.

Mr. Speaker and the House went up accordingly. And both Parties being heard were dismist, and Mr. Speaker and the House return'd to their own Chamber.

A Petition of *Jonathan Fuller*, and two others, with the Select-men of the Town of *Newton*, Praying this Court to approve and ratify the Agreement and Votes of the said Town referring to the Building a Meeting-House, an attested Copy whereof is annext. Sent down from the Board, pass'd on there, *viz. June* 5*th*. 1716. Read, and

Resolved, That the Prayer of the Petitioners be Granted, and that the Town Votes of *Newton* hereto annexed, be and are hereby approved of, Ratified and Confirmed, any former Order of this Court to the contrary notwithstanding.

Sent down for Concurrence. Read and Concurr'd.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Jovis 7. die Junii. 1716.

MR. *Cooke* from the Committee appointed, Reported a Method, to obtain a true and just Valuation of the Rateable Estate of this Province.

Which was long Debated.

And the previous Question being put, *Whether the said Report shall be now put to the Vote?* It pass'd in the Affirmative.

Ordered, That the said Report be accepted, and That Mr. *Cooke*, Col. *Basset*, and Maj. *Stoddard* be a Committee to draw a Bill accordingly.

Post Meridiem.

Ordered, That a Message be sent up to the Board, desiring them to joyn with this House in the choice of a Treasurer, Impost Officer, and Attorney General to Morrow Morning. Sent up by Capt. *Noyes*, Mr. *Cooke*, Col. *Thaxter*, and Col. *Goffe*.

A Bill Intituled, *An Act Stating the Fees of the Custom-House-Officers*. Read a Second time.

Mr. *Payne* from the Committee appointed to Examine the Treasurers Accompts, made Report that they had attended the Order of the House, and per-

formed that Service, and find his Accompts right Cast and well avouch'd in every Article.

The Accompt of Mr. *Jeremiah Allen* Treasurer and Receiver General of this Province, beginning the 26*th*. Day of *May*, 1715. and continued unto the 30*th*. Day of *May*, 1716. Amounting unto the Sum of *Fifty One Thousand, Fifty Two Pounds Eighteen Shillings* and *Seven Pence*, having been presented and laid before the House of Representatives, and Inspected by said House, by which it appear's there was standing out on said Thirtieth Day of *May, Four Thousand Four Hundred & Eighteen Pounds, Sixteen Shillings* & *Two Pence*, of the Taxes. *Nine Thousand Pounds* neat Province Bills, for the Exchange of Bills, *One Thousand Two Hundred, Twenty Two Pounds, Ten Shillings* & *Ten Pence*, neat Province Bills, and *Four Thousand Sixty Nine Pounds, One Shilling* & *Two Pence*, Province Bills, with the Five *per Cent.* advance thereon, in the Treasury, and further to be Accompted for.

Voted, That the said Accompts in the several Articles of Receipts and Payments therein mentioned, amounting unto the Sum of *Thirty Two Thousand, Three Hundred Forty Two Pounds, Ten Shillings* & *Five Pence*, be and are hereby allowed of, and the said Treasurer is hereby Discharged of the said Sum of *Thirty Two Thousand, Three Hundred Forty Two Pounds, Ten Shillings* & *Five Pence*.

Sent up for Concurrence.

A Petition of *Elisha Hedge* &c. Praying as entred the 30*th*. Day of *November*, 1715. Sent down from the Board, pass'd on there, *viz. June* 7. 1716. *Ordered*, That a Hearing on this Petition be had before this Court this Day, afternoon.

Sent down for Concurrence. Read and Concurr'd.

A Message from the Board, That the House now come up to attend the said Hearing.

Mr. Speaker and the House went up accordingly, and the Parties being heard, Mr. Speaker and the House return'd to their own Chamber.

A Petition of *Samuel Porter* and *Nathanael Porter*, Administrators, *cum testamento annexo*, [10] to the Estate of their late Father, *Joseph Porter* Sen. late of *Salem*, presented to the House and Read, shewing that their said late Father, made their Brother *Joseph Porter* sole Executor of his last Will and Testament, who died before his Father, and now the Guardians of the Children of their said late Brother *Joseph*, have Sued and Recovered the Estate out of their hands, altho' they became engaged when they took Administration to pay, *l.* 325. Legacies, besides Debts, which they are liable to pay out of their own Estates, and have no remedy in the Law. Praying Relief from this Court.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Veneris, 8. die Junii, 1716.

THe Memorial of Dr. *Cotton Mather*, moving as entred the *2d.* Currant. Read again, and

Ordered, That Col. *Basset*, Col. *Thaxter*, Capt. *Noyes*, Mr. *Parker*, and Mr. *Thomas*, be a Committee to Examine the Books, and find what has been already paid on the Account of the Service mentioned in the Memorial, and Report the same, with what they think proper to be done in answer to the said Memorial. And for the Heirs of the late Reverend Mr. *Ichobad Wiswell*, who accompanied the Agents of the late Colony of the *Massachusetts-Bay*, being sent by the late Colony of *New-Plymouth*.

A Report of *John Cushing* Esq; *&c.* whereof Entry is made the First Currant. Read again, and

Ordered, That it be committed to the Committee for Petitions.

According to the Order of the Day Mr. Speaker sent up a Message to the Board by Col. *Thaxter* and Col. *Somersby*, That the House are now ready to proceed in the choice of a Treasurer, Attorney General for this Province, and Commissioner of Impost.

The House prepared their Votes for a Treasurer, which Mr. Speaker sent up by Mr. *Rogers*, and Mr. *Cooke*, to sort and number them with the Votes of the Board, and Report the choice.

Who Reported that Mr. *Jeremiah Allen* was chosen by a major part of the Voters.

The House prepared their Votes for an Attorney General for this Province, which were carried up by the aforesaid Members.

Who Reported that *Paul Dudley* Esq; was chosen by a major part of the Voters.

The House prepared their Votes for a Commissioner of Impost, which the said Members carried up, and being returned, Reported that Mr. *Daniel Russel* was chosen by a major part of the Voters.

A Letter from the several Inhabitants of the Town of *Wells*, Dated the *4th.* Currant. And a Letter from *Joseph Bane* of *Casco*, Dated the *5th.* Currant, both directed to His Honour the Lieut. Governour relating to the Behaviour of the Eastward Indians. Sent down from the Board and Read.

A Petition of *John Campbell* Deputy Post-Master-General of *New-England*, presented to the House and Read, praying that his Accompt of Postage of Publick Letters the Year past, amounting to the Sum of *l.* 32 16 *s.* 5 *d.* may be allowed and paid, and such other Encouragement given to him as this House shall think proper for his Service in the said Office, and for Printing Weekly a Letter of Foreign and Domestick Intelligence.

A Petition of *John Francis* of *Medford* who had the Grant of 100 Acres of Land given him by the General Court *October* 15. 1679. in consideration of a Wound he

received in the Building of *Harvard-Colledge*. But the said Grant never yet laid out, praying that he may be allowed now to do it. Committed.

Ordered, That Mr. *Payne* and Mr. *Anthony Stoddard* be a Committee to prepare and lay before the House, the Draught of a Bill, Limitting the time in which the Grants of Land shall be taken up and laid out after they are made.

A Petition of *Edmund Goffe* Representative of the Town of *Cambridge*, presented to the House and Read, complaining that the Registry of Deeds is not kept in the said Town as the Law Directs, it being the Shire Town in the County of *Middlesex*. Praying Redress.

Upon a Motion of the Representatives of the Town of *Charlestown*, who affirm the said Town to be the Shire Town of the County of *Middlesex*.

Ordered, That they receive a Copy of this Petition. And that they may be heard before this Court in answer thereto on Thursday next.

Sent up for Concurrence.

Col. *Thaxter* from the Committee for Petitions made Report on the Report of *John Cushing* Esq; *&c.* committed to them this Day, which was accepted by the House, & accordingly,

The House pass'd a Concurrence with the Vote of the Board thereon. *Provided*, That [11] the whole Town stand obliged to an honourable Maintenance of the Reverend Mr. *Keith*, their present Aged Minister, if he shall out-live his Powers and Capacity of Discharging the Office and Duty of their Minister.

Sent up for Concurrence.

The Petition of *John Francis*, praying as entred this Day further considered, and the Report of the Committee thereon, which was accepted by the House, *viz.* That the Prayer thereof be Granted, provided he satisfy the House that the said Grant has not yet been laid out.

Mr. *Payne* laid before the House a Book in which he had entred the several Grants of Land, and Money, made by this Court since the present Royal Charter of this Province, pursuant to their Order, with his account of the charge of the Book and Entring. Amounting to the Sum of *l.* 6 2 *s.* 6 *d.*

Resolved, That the Sum of *Six Pounds*, *Two Shillings* & *Six Pence*, be allowed and paid out of the Publick Treasury to *William Payne* Esq; to Discharge the said Accompt. Sent up for Concurrence.

A Motion being made and Method proposed more effectually to raise and collect a proper Excise upon Liquors, and Strong Drink Sold by Retail.

A long Debate ensu'd thereon.

Voted, That the Rates of Excise upon Strong Drink, for the Year coming be as follows, *viz.*

Upon Rhum, and all Distill'd Spirits, *Eight pence* per Gallon.

On all Sorts of Wine *Six pence* per Gallon.

On Cyder and Perry *Two Shillings* per Barrel.

That all Taverners, Retailers, &c. shall give an Account upon Oath of their Draught, and that they shall not be Compounded with.

That a Bill be drawn accordingly. Sent up for Concurrence.

The Petition of *Elisha Hedge* &c. upon which there was a Hearing yesterday. Sent down from the Board, pass'd on there, *viz. June* 7. 1716. Read and Dismist.

Sent down for Concurrence. Read and Concurr'd.

A Message from the Board, That the House now come up to attend the Hearing upon the Petition of *Cord Wing*, between him & his Sister *Sarah Tomlin* appointed the last Sessions.

Mr. Speaker and the House went up accordingly. And the Parties being fully heard, Mr. Speaker and the House return'd to their own Chamber.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Sabbati 9. die Junii, 1716.

THe Petition of *Samuel Porter* & *Nathanael Porter* praying as entred the *7th.* Instant, Read again, and

Ordered, That the Petitioners serve the adverse Party with a Copy of this Petition, and notify them that they may be heard before this Court on Wednesday the 13*th.* Instant, if they have any thing to alledge why the Prayer thereof should not be Granted: And that in the mean time, the Execution mentioned in the Petition be stop'd. Sent up for Concurrence.

Ordered, That the Treasurer be directed to keep a distinct Accompt of the Charge of *Castle-William*, and each of the other Forts in this Province, That it may be presented separately to the view of the House in his Accompts Annually.

Voted, That the Hon. *Adam Winthrop*, Esq; *Jonathan Dowse*, and *William Payne*, Esqrs; be a Committee to investigate a suitable place for the Erecting a Hospital, for the Reception of such as are brought in, or taken with any Pestilential or Infectious Distimpers, treat with the Owner or Owners of the same, and project a Draught for a House, with the computation of the Charge, and what may be necessary to be Enacted for the preventing the spreading of such Distempers, and make Report at the next Sessions. Sent up for Concurrence.

A Petition of *Thomasin Woodwell* alias *Hill*, Wife of *Robert Hill* of *Salem*, presented to the House and Read, praying that she may be enabled to Trade, Buy and Sell on her own Account, notwithstanding her Coverture, her said Husband being in such a crazed condition, that he takes no care for her support.

Committed.

A Report of *John Wheelwright*, *Charles Frost*, *Abraham Prebble*, and *Joseph Hammond*, a Committee appointed to lay out a Road to *Pejepscot*, &c. Sent down from the Board, *June* 5*th.* Read and Recommended. Read and Committed.

Upon a Motion being made. [12]

Ordered, That the Deficiency of the Funds that were projected for making up the last Years Tax be first provided for, before a new Tax is Levied.

Whereas upon Examination it is found that the Funds for bringing in the *l.* 22000, that was formerly Granted to be Levied the last *May* Session, fall short the Sum of *l.* 3572 3 *s.* 1 *d.*

Ordered, That the Interest of the *l.* 50000 of Credit Bills, lent by this Province, not yet paid into the Treasury, be Granted and Appropriated for the making good of the said Deficiency, so far that the first *l.* 3572 3 *s.* 1 *d.* thereof, that shall be paid into the Treasury, by the Trustees for the said Loan, shall be applied and improved to Discharge the same, there being as yet but *l.* 903 3 *s.* 2 *d.* of the said Interest paid into the Treasury. Sent up for Concurrence.

A Bill Intituled, *An Act further continuing of An Act Intituled, An Act against Hawkers, Pedlars and Petty Chapmen.* Read a First time.

Ordered, That the several Towns of this Province be at this Session Proportioned to a Tax of *l.* 11000.

And then the House Adjourn'd till Monday next Three a Clock afternoon.

Lunee 11. die Junii. 1716.

THe Petition of *Cord Wing* upon which there was a Hearing the 8*th.* Currant, the Prayer whereof is entred the 22*d. December* last. Sent down from the Board, pass'd upon there, *viz.* In Council *June* 8*th.* 1716. Upon a Hearing had upon the within Petition before the whole Court. *Ordered*, That the Petition be Dismist. Sent down for Concurrence. Read and Concurr'd.

The Committee appointed brought in a Bill Intituled, *An Act for the more effectual Discovering of the Rateable Estates within this Province.*

Which was Read a First time.

A Petition of *Samuel Woodward* Esq; Secretary of this His Majesties Province. Presented to the House and Read. Shewing, That the Business of the said Office, run greatly behind, between the Death of the late Secretary, and his Arrival. That he had been at considerable charge in procuring assistance to Post up the Books *&c.* and had Constituted Mr. *Joseph Marion* his Deputy, by advice of His Honour the Lieut. Governour and Council, to assist in that Office. Praying the Court to take the Premises into their just and wise consideration. And to appoint suitable Persons to Inspect and Report the present State and Business of the Office.

A Letter from Mr. Agent *Dummer*, to Mr. Speaker. Dated *September* 24*th.* 1715. Read.

The Petition of *Richard Carr*, upon which there was a Hearing the 6th. Currant. Sent down from the Board, pass'd on there, *viz.* In Council *June* 7*th.* 1716. Declared upon the Hearing had yesterday before this Court, upon the within

Petition, That the setting up of *Marche's* Ferry, over *Merrimeke-River* from *Whites* Point, in *Newbury*, to *Ringe's* Point in *Salisbury*, in the County of *Essex*, is no Infringement of any former Grant to *George Carr*, the Province having reserved to themselves the liberty of setting up other Ferrys as should be found needful, and the Petition being groundless. *Ordered*, That it be Dismist.

Sent down for Concurrence. Read and Non-concurr'd.

And *Ordered*, That Col. *Basset*, Mr. *Anthony Stoddard*, and Mr. *John Stoddard*, be a Committee to whom the said Petition is Committed.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Martis 12. die Junii. 1716.

VOted, That *l.* 11000 only of the *l.* 22000, Granted in the Year 1711, be Levied and Collected the present Year.

And that the Duties of Impost and Tunnage of Shipping, and Excise, be a Fund and Security for the Drawing in the remaining *l.* 11000.

Sent up for Concurrence.

The Committee for that end made report on the Memorial of Dr. *Cotton Mather*, which was accepted by the House, and accordingly

Resolved, That the Sum of *One Hundred Pounds* be further allowed and paid out of the Publick Treasury to the Reverend Dr. *Increase Mather*, in full for his Service as Agent for this Province at *Whitehall*, from *December* 1689, to *October* 1692. Sent up for Concurrence. [13]

Resolved, That the Sum of *One Hundred Pounds* be allowed and paid out of the Publick Treasury to the Heirs of the late Reverend Mr. *Ichabod Wiswell*, further and in full for his Service in accompanying the Agents of this Province to, and at *Whitehall*, from *December* 1689, to *October* 1692.

Sent up for Concurrence.

The House proceeded to apportion the Sums to be paid by the several Towns of the Province in a Tax of *l.* 11000 this Year, which was done by a particular Vote on each Town, the respective Representatives having first had opportunity to set forth to the House the State and Circumstances of their Towns.

A Petition of *William Ward* in behalf of himself and the rest of the Six Families of *Newton*, that are dismist from the Charge and Support of the Ministry in *Newton*, to the South Precinct in *Roxbury*. Praying that they may be freed from the Charge of assisting towards Building the Meeting House in *Newton*, and Maintaining the Minister there while they attend at *Roxbury*. Sent down from the Board, pass'd on there, *June* 12. 1716. Read, and *Ordered*, That the Petitioners serve the Select-men of *Newton* with a Copy of this Petition, that they may be heard before this Court on *Thursday* the 14*th*. Currant, at Four a Clock P. M. to shew cause if any they have why the Prayer thereof may not be Granted.

Sent down for Concurrence. Read and Non-concurr'd.

An Account of the Propositions made by Captain *Bommazeen*, and *Bomiskeke* (Two of the Chiefs of the Eastern Indians lately come from them to *Boston*) to His Honour the Lieut. Governour, with His Honours Answers to them. Brought down from the Board and Read.

A Petition of *John Legg*, *Nathanael Norden*, and 64 others, presented to the House and Read, praying that a Settlement may be allowed at *Casco-Bay*, and protected by a small Fort, for the Security and Encouragement of the Fishery, that have occasion to Harbour often there.

A Bill Intituled, *An Act to prevent Inconveniences arising by Persons refusing to serve in the Office of Constables, that are duly chosen thereto.* Read a First time.

A Bill Intituled, *An Act in further addition to an Act Intituled, An Act Relating to Sureties upon mean Process in Civil Actions.* Read a First time.

A Message from the Board, That the House now come up to attend the Hearing upon the Petition of sundry Inhabitants of *Glocester*, desiring to be set off a Precinct, for Maintaining the Gospel Ministry.

Mr. Speaker and the House went up accordingly, and both Parties being fully heard, The House returned to their own Chamber.

A Bill Intituled, *An Act for the more effectual Discovering of the Rateable Estates within this Province, for a just and true Valuation thereof.* Read a Second time.

A Bill Intituled, *An Act for the further continuing of an Act Intituled, An Act for the better Regulation of Swine going at Large*, &c. Read a First time.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Mercurii 13. die Junii, 1716.

Ordered, That Mr. *Payne*, Col. *Basset*, and Major *Stoddard* be a Committee to prepare and bring in a bill for Granting to His Majesty an Excise upon Wines, *&c.* agreable to the Vote of this House for that end, which is agreed to by the Board.

A Bill Intituled, *An Act for the further Continuing of an Act Intituled, An Act for the better Regulation of Swine going at Large.* Read a Second time.

A Bill Intituled, *An Act in further addition to an Act Intituled, An Act relating to Sureties upon mean Process in Civil Actions.* Read a Second time.

A Bill Intituled, *An Act to prevent Inconveniencies arising by Persons refusing to serve in the Office of Constable, that are duly chosen thereto.* Read a Second time.

And the Question being put, *Whether the Bill be Read a Third time?* It pass'd in the Negative.

A Bill Intituled, *An Act for the further continuing of an Act Intituled, An Act against Hawkers, Pedlars and Petty Chapmen.* Read a Second time, and

Ordered, That the said Bill have a Third Reading.

A Bill Intituled, *An Act in addition to the Act for Regulating Fees, Stating the Fees of the Officers of the Court of Admiralty.* Read a Second time.

A Bill Intituled, *An Act in further addition to an Act Intituled, An Act for making Lands and Tenements liable to the Payment of Debts.* Read a Second time.

The Committee to whom the Petition of *George Carr* was referred, brought in their Report thereon, which was Read and Accepted by the House, and accordingly. [14]

Resolved, That Mr *George Carr*, his Heirs and Assigns, had a Right to the whole Ferry on both sides of the River, between *Newbury* and *Salisbury*, by virtue of a Grant of the Court of *Salisbury* 1650, being impowered by the General Court, 1649, to make such Grant, which Grant was confirmed by the General Assembly, *May* 1669, and that no Ferry or Ferries were to be set up without his having the refusal of the same. And although the General Court reserved a Liberty to themselves, to order a Ferry or Ferries, to be set up, yet that the said *George Carr*, nor his Heirs never forfeited their Right by any refusal. Sent up for Concurrence.

The Petition of *Edward Hutchinson* Esq; and Seven others, in favour of the Settlement at *Arowsick-Island*. Praying as entred the 5*th* Currant, Read again, and

Ordered, That the Prayer of the Petition be so far Granted, That the Island of *Arowsick* be Constituted a Township by the Name of *George-Town*.

Sent up for Concurrence.

The petition of *John Campbell* Deputy Post-Master General of *New-England*, praying as entred the the 8*th*. Currant. Read again, and

Resolved, That the Sum of *Twenty Seven Pounds*, *Sixteen Shillings*, & *Five Pence*, be allowed and paid out of the Publick Treasury, to Mr. *John Campbell* the Petitioner, in full of the Accompt accompanying his Petition.

Sent up for Concurrence.

The Petition of *Isaac Wonno* & *Joshua Shantum*, Indians, praying as entred *June* 21, 1715. on which there has been a Hearing this Sessions. Sent down from the Board, pass'd on there, *viz. June* 8. 1716.

Resolved, That *Kitteticut-River* is the Southermost Bounds of the Town of *Bridgewater*, any Construction put upon the Report of the Committee of *Barnstable*, to the contrary notwithstanding. Sent down for Concurrence.

Read.

A Bill Intituled, *An Act Stating the Fees of the Custom-House Officers within this Province.* Read a Second time.

Mr. Speaker sent up a Message to the Board by Mr. *Cooke* and Capt. *Chambers*, That this House desire their Vote, relating to the Tax, to be raised this Year may be pass'd upon there and sent down.

3 Post Meridiem.

The Petition of *John Legg, Nathanael Norden*, &c. Praying as entred yesterday,
Read again.

And the Question being put, *Whether the Prayer of the Petition be Granted?*
It pass'd in the Negative.

The Petition of *Ebenezer Allen* and *Jonathan Head*, in behalf of the Proprietors of *Dartmouth*, praying as entred *December* 16. 1715. Read and Committed.

An Accompt of *Daniel Oliver*, &c. Overseers of the Poor in the Town of *Boston*, of their Charge in the necessary Support of Province Poor, amounting to the Sum of *l.* 115 15 *s.* Presented to the House for Allowance and Payment.
Committed.

John Pynchon Esq; brought down from the Board, the Petition of *Edward Hutchinson* Esq; *&c.* which was sent up this Day. Pass'd upon there, *viz.* In Council *June* 13. 1716. Read and Concurr'd.

And the Board are of Opinion, That it will be much for His Majesties Service, for the Interest of this Government, and for the promoting of the New Settlements (which is of great Consequence) that a suitable Number of Men be continued at *Arowsick* for some time, and desire the House would Re-consider it.
Read, and

Ordered, That the said Petition be Re-considered.
Upon further Consideration of the said Petition.

Ordered, That *Sixteen Men* in the Publick Pay be allowed to cover the Settlement at *Arowsick-Island*, now Denominated *George Town*, for the space of *Six Months* next coming, and no longer. Sent up for Concurrence.

A Message from the Board, That the House now come up to attend the Hearing upon the Petition of *Samuel* & *Nathanael Porter* appointed to be this Day.

Mr. Speaker and the House went up accordingly. And both Parties being fully heard and dismist, returned again to their own Chamber.

A Petition of *Henry Gilbert, Thomas Gilbert*, and *Philip Goss*, a Committee for the Town of *Brookfield*, Presented to the House and Read, Praying that *Forty Pounds* may be Granted to them out of the Publick Treasury towards Building their Meeting-House.

And the Question being put, *Whether any thing shall be Granted in answer to the said Petition?* It pass'd in the Negative.

And then the House Adjourn'd till to Morrow Morning Nine a Clock. [15]

Jovis 14. die Junii, 1716.

A Petition of *John Eames* Jun. of *Framingham*, presented to the House and Read, Praying Confirmation of a Grant of 20 Acres of Meadow, which was granted in *May*, 1663, to Mr. *Richard Parker*, and the Petitioner has bought of

his Hiers, and that he may have leave to lay it out by a Skilful Surveyor and Chainman under Oath. Committed.

A Petition of *John Hovey* of *Charlestown*, presented to the House and Read, praying to be reimbursed the Sum of *l.*8 6 *s.* 8 *d.* which he paid to Ransom himself out of Captivity, having been Captivated in the Service, *Anno* 1707, by the Indian Enemy and carried to *Quebeck*. Committed.

A Petition of *Ann Dowding* of *Boston*, Widow, presented to the House and Read, Praying an Explanation of the Order of this Court, passed the 26th of *July* last, on the Petition of *Edward White*, as set forth in the said Petition.

Committed.

A Petition of *Benjamin Wright* Jun. of *Northampton*, presented to the House and Read, praying that an Annual Pension may be setled upon him for Life, in consideration that when he was in the Service in the late War, he had One of his Hands maim'd and disabled by his Gun's breaking in Firing.

Resolved, That a Pension of *Three Pounds per Annum*, be allowed and paid out of the Publick Treasury to *Benjamin Wright* the Petitioner, during his natural life. Sent up for Concurrence.

The Committee to whom the Petition of *Ebenezer Allen* and *Jonathan Head* was Committed, yesterday made their Report thereon. Which was accepted by the House, and accordingly,

Voted, That the General Courts acceptance of the Committee's Report, *Anno* 1699. refers only to the Boundary Line between the Town of *Dartmouth*, and the Towns of *Little-Compton* and *Tiverton*. Sent up for Concurrence.

A Bill Intituled, *An Act for the further continuing of an Act Intituled, An Act for the better Regulation of Swine going at large*, &c. Read a Third time, and pass'd to be Engross'd. Sent up for Concurrence.

A Bill Intituled, *An Act for the further continuing of an Act Intituled, An Act against Hawkers, Pedlars, and Petty Chapmen.* Read a Third time, and pass'd to be Engross'd. Sent up for Concurrence.

A Bill Intituled, *An Act in addition to the Act for Regulating Fees. Stating the Fees of the Officers of the Court of Admiralty.* Read a Third time, and pass'd to be Engross'd. Sent up for Concurrence.

A Bill Intituled, *An Act Stating the Fees of the Custom-House Officers within this Province.* Read a Third time, and pass'd to be Engross'd.

Sent up for Concurrence.

The Accompt of the Overseers of the Poor in the Town of *Boston*, Committed yesterday, returned by the Committee with their Report thereon, which was accepted by the House, and accordingly,

Resolved, That the Sum of *One Hundred and Fifteen Pounds, and Fifteen Shillings* be allowed and paid out of the Publick Treasury, to the Overseers of the Town of *Boston*, to discharge the Accompt on the other side.

Sent up for Concurrence.

Post Meridiem.

A Petition of *Wigglesworth Sweetser* and *Ursilla* his Wife, presented to the House and Read, praying that a Plat of Three Hundred Acres of Land, laid out and Surveyed by *William Ward* Surveyor, and Chain-Men under Oath, therewith Exhibited, pursuant to an Order of this Court, may be Confirmed to them.

Resolved, That the Prayer of the Petition be Granted, Provided it doth not Interfere with any former Grant. Sent up for Concurrence.

Mr. *Payne* according to Order presented to the House a Bill, Intituled, *An Act for settling of Grants*, Which was received and Read a First time.

A Memorial of *John Wheelwright* Esq; in behalf of himself, and the rest of the Committee for Eastern Claims, Praying that an Account of their Time and Charge in that Service, and in laying out a Town at *Winter-Harbour* therewith Exhibited, may be allowed and paid. Sent down from the Board, Read and Recommended. Read and Committed.

The Vote of this House pass'd the 12th Currant, for bringing in *l.* 22000. Granted formerly to be Levied this Session. Sent down from the Board, Non-concurr'd.

Read, and *Ordered*, That it be insisted on and sent up.

A Message from the Board by *Andrew Belcher* Esq; That the House now come up to [16] the Council Chamber to attend a Hearing appointed to be this Day upon the Memorial of Col. *Edmund Goffe*, Representative of *Cambridge*, complaining that the Office of Registry of Deeds is not there kept.

Mr. Speaker and the House went up accordingly, and the Parties being heard, Returned to their own Chamber.

A Bill Intituled, *An Act for the more effectual discovering of the Rateable Estates within this Province, for a just & true valuation thereof.* Read a Third time, and pass'd to be Engross'd. Sent up for Concurrence.

A Bill Intituled, *An Act for Granting unto His Majesty an Excise upon Wines, Liquors, and other Strong Drink Sold by Retail.* Read a First time.

The following Vote sent down from the Board, *viz.* In Council *June* 14. 1716.

Voted, That *Samuel Sewall*, *Andrew Belcher*, *Thomas Hutchinson*, *Thomas Fitch* and *Adam Winthrop*, Esqrs; be a Committee to joyn with such as the House shall appoint to confer upon the matter of the Tax now under Consideration.

Sent down for Concurrence.

Read and Non-concurr'd *Nemine Contradicente.*

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Veneris, 15. die Junii, 1716.

THe vote of the Board on the Petition of *Isaac Wonno*, and *Joshua Shantum* Indians, entred the 13th Currant. Read again, and Concurr'd.

A Bill Intituled, *An Act for Granting to His Majesty an Excise upon Wines, Liquors, and other Strong Drink Sold by Retaile*. Read a Second time, and Debated Paragraph by Paragraph.

3 Post Meridiem.

The Report of *John Wheelwright* Esq; *&c.* that was Read and Committed the 9th Currant. Return'd by the Committee with their Report thereon, which was Read and accepted by the House, and accordingly,

Resolved, That a Minister be allowed for the Garrison at *Winter-Harbour*, for the space of one Year, and that the Sum of *Forty Pounds* be allowed and paid out of the Publick Treasury for his Support. And that the Sum of *Fifty Seven Pounds, Five Shillings* be further allowed and paid out of the Public Treasury to *Abraham Prebble* Esq; to Discharge the Committee's Accompt.

Sent up for Concurrence.

The Petition of *James Hovey*, praying as entred the 14th Currant, Read, and the Report of the Committee thereon, which was accepted by the House, and accordingly,

Resolved, That the Sum of *l.*8 6 *s.* 8 *d.* be allowed and paid out of the Publick Treasury to *James Hovey* the Petitioner in full of his Petition.

Sent up for concurrence.

The Memorial of *John Wheelwright* Esq; praying as entred yesterday, Returned by the Committee with their Report thereon, which was Read and accepted by the House, and accordingly,

Resolved, That the Sum of *Twenty One Pounds*, be allowed and paid out of the Publick Treasury, to *John Wheelwright* Esq; to Discharge the said Accompt.

Sent up for Concurrence.

The Petition of *Ann Dowding*, praying as entred yesterday, Read again, And the Committee made their Report thereon, which was accepted by the House, & accordingly,

Ordered, That the Court that Tryed the said Cause, be Directed, and Enabled tc Chancer the same according to Justice and Equity. Sent up for Concurrence.

The Petition of *John Francis*, praying as entred the 8th Currant. Read again, and the Report of the Committee thereon, which was accepted by the House, and accordingly,

Resolved, That the Prayer of the said Petition be Granted.

Sent up for Concurrence.

The Petition of Col. *Edmund Goffe*, praying as entred the 8th Currant, upon which there was a Hearing the 14th Currant. Sent down from the Board, pass'd on there, *viz.* In Council *June* 15. 1716. Upon a Hearing of the Towns of *Cambridge* and *Charlestown*, as to their respective Claims of being the Shire Town of the County of *Middlesex*.

Resolved, That *Cambridge* is the Shire Town of the said County.

Sent down for Concurrence. Read and Non-concurr'd.

A Message from the Board by *Edmund Quincey* Esq; That the House now come up to the Council Chamber, to attend the Hearing appointed to be this Day on the Petition of *Edward Bishop*, and Four others of the Town of *Ipswich*, which was Read the 6th Currant.

Mr. Speaker and the House went up accordingly. And both Parties being heard, they returned to their own Chamber.

And then the House Adjourn'd till to Morrow Morning Nine a Clock. [17]

Sabbati 16. die Junii, 1716.

A Memorial of Col. *Benjamin Church*, presented to the House and Read, praying consideration and allowance for his extraordinary charge and expence in the Publick Service in the Year 1704 when he commanded an Expedition Eastward, against the French and Indian Enemy, for which he had no Allowance.

Committed.

A Bill Intituled, *An Act for Granting unto His Majesty an Excise upon Wines, Liquors, and other Strong Drink Sold by Retail*, Read a Third time, and pass'd to be Engross'd.

Sent up for Concurrence.

The Petition of *Samuel* and *Nathanael Porter*, upon which a Hearing was had the 13th Currant. Sent down from the Board, pass'd on there, *viz*, *June* 15. 1716. On a Hearing of the within Petition of *Samuel* and *Nathanael Porter*, &c. It being set forth that their Appeal on a *Scire Facias* &c. was quashed by a Defect in the reasons of Appeal.

Ordered, That the reasons of Appeal be amended, and the Petitioners admitted to a new Tryal of the said Action, at the Superiour Court to be held at *Salem*, for the County of *Essex* in *November* next, the adverse Party to be timely notifyed, and the Execution in the mean time to be suspended.

Sent down for Concurrence. Read and Concurr'd.

The Petition of *Jacob Davis* &c. Praying as entred the First Currant, upon which there has been a Hearing this Session. Sent down from the Board, pass'd on there, *viz.* In Council *June* 12. 1716. On consideration of the Allegations this Day in the Hearing upon this Petition.

Ordered, That the Prayer of the Petition be granted, and that the Inhabitants

of the Westerly side of *Annosquam-River*, be & are hereby set off a distinct and separate Precinct according to the Vote of the Town, and that they have all Powers and Authorities with other Precincts, as the Law Directs.

Sent down for Concurrence.

Read and Concurr'd.

Ordered, That *Elisha Cooke* Esq; Mr. *Thomas Turner*, *Charles Chambers* Esq; Col. *Henry Somersby*, *Oliver Noyes*, Esq; *Samuel Thaxter* Esq; Col. *Edmund Goffe*, Mr. *Richard Trivet*, Capt. *John Gardner*, Capt. *Samuel Gallop*, Mr. *Luke Hitchcock*, and Col. *William Basset* be a Committee to consider that Paragraph of His Honour the Lieut. Governour's Speech, which relates to the promoting the Produce and Trade of this Country, and make Report what they think proper for this Court to do therein as Expeditiously as may be.

Sent up for Concurrence.

A Petition of *Samuel Bill* of *Boston*, presented to the House and Read, praying consideration and allowance for the Damage he has sustained by Infectious Persons being put ashoar by Authority, several times, upon his Island called *Spectacle-Island*. Committed.

A Petition of *Thomas Wright* late Master of the Mary Galley of *London*, which was unfortunately Cast-away at *Cape Sables* a little time since, presented to the House and Read, praying that the Duty of Two Pipes, Two Hogsheads, and Two Terces of Rhum, that he saved and Imported into this Province may be remitted.

Resolved, That the Duty of the Six Casks of Rhum, mentioned in the Petition be remitted to the Petitioner. Sent up for Concurrence.

The Petition of *Samuel Bill*, praying as entred this day, further considered, and the Report of the Committee thereon, which was accepted by the House, and accordingly,

Resolved, That the Sum of *Twenty Pounds* be allowed and paid out of the Publick Treasury to *Samuel Bill* the Petitioner, in full of his Petition.

Sent up for Concurrence.

An Engross'd Bill, Intituled, *An Act for the further continuing of An Act Intituled, An Act for the better Regulation of Swine going at large*. Read, and

Resolved, That the Bill do pass to be Enacted.

An Engross'd Bill, Intituled, *An Act for the further continuing of An Act Intituled, An Act against Hawkers, Pedlars, and Petty Chapmen*. Read, and

Resolved, That the Bill do pass to be Enacted.

The Memorial of Col. *Benjamin Church*, praying as entred this Day, Returned by the Committee, with their Report thereon, which was accepted by the House, & accordingly,

In consideration, That the Honourable Col. *Benjamin Church*, bestowed in Rewards on particular Persons, *&c* the value of his Wages, in his Eastern Expedition, *Anno* 1704.

And of his great Expences in raising Volunteers for the Service of this Province, and many his other good Services.

Resolved, That the Sum of *Sixty Pounds* be allowed, and paid out of the Publick Treasury in full as a Gratuity, to the said Col. *Church*.

Sent up for Concurrence.

An Account of Money due to *Benjamin Stebbins* and *Samuel Marshall*, for Service done, and Money Expended for the Publick, Amounting to the Sum of *l.* 3 17 *s.* 4 *d.* Cer-[18]tified, *per Samuel Partridge* Esq; presented to the House for Allowance. Read, and

Resolved, That the Sum of *Three Pounds, Seventeen Shillings* & *Four Pence*, be allowed and paid out of the Publick Treasury to Mr. *John Partridge* to Discharge the said Accompt. Sent up for Concurrence.

And then the House Adjourn'd till Monday next three a Clock Afternoon.

Lunee, 18. die Junii, 1716.

O*Rdered*, That Mr. *Parker*, Col. *Basset*, and Major *Stoddard* be a Committee to prepare a Bill further providing for the Regulation of Fees.

Ordered, That the Treasurer be Directed to purchase the Hangings of Two Rooms in the House that was bought for the use of this Province, of the Executors of the last Will and Testament of *Peter Sergeant* Esq; at the best rate he can, not exceeding *Twenty Pounds*. Sent up for Concurrence.

Ordered, That the Representatives of the Town of *Boston*, and such others, as shall be present, wait on His Excellency Col. *Samuel Shute* Governour of this His Majesties Province, and Complement him, in the Name of this House upon his safe Arrival.

Whereas this House have credible Intelligence, That His Excellency Col. Samuel Shute *is appointed by His Majesty Governour of this His Majesties Province, and may soon be expected to Arrive here.*

Ordered, That Mr. Speaker, the Representatives of the Town of *Boston*, and Col. *Samuel Thaxter*, with such as the Honourable Board shall joyn, be a Committee to provide a suitable place for His Excellency's present Reception and Entertainment when he shall Arrive, and invite him thereto.

Sent up for Concurrence.

A Representation of *Nathanael Byfield*, & *Nathanael Paine* Esqrs; by order of the Justices of the General Sessions of the Peace in the County of *Bristol*, shewing, That all their Endeavours for the setling of a Minister in the Town of *Tiverton*, have been defeated by the obstinacy of the People, and moving this Court to take effectual care to send an Able, Orthodox Minister to the said Town. Sent down from the Board, pass'd upon there, *viz.* In Council, *June* 7. 1716.

Read and sent down earnestly recommended. Committed.

A Memorial of the Committee for the Town of *Northfield*, and Proprietors of the said Place, Signed *Samuel Partridge*, *Henry Dwight* Committee, and *Benjamin Wright*, in behalf of the Inhabitants. Presented to the House and Read, Praying that a Garrison may be allowed to cover and encourage, the Settlement begun there.

Upon a Motion being made in behalf of *John Green* of *Brookfield*, formerly wounded in the Service against the Indian Enemy, & thereby much debilitated, in his Right Hand.

Resolved, That there be allowed and paid out of the Publick Treasury to the said *John Green*, *Forty Shillings* at present, & the Sum of *Five Pounds per Annum* from this time, during his natural life. Sent up for Concurrence.

An Account of *Rowland Dyke*, his Dining the House of Representatives on the last Day of Election of Councellors, amounting to the Sum of *l.* 14 3 *s.* Presented to the House for Payment. Read, and

Resolved, That the Sum of *Fourteen Pounds*, *Three Shillings*, be allowed and paid out of the Publick Treasury to *Rowland Dyke*, to Discharge the said Accompt. Sent up for Concurrence.

A Bill Intituled, *An Act in further Addition to An Act, Intituled, An Act for making of Lands and Tenements liable to the payment of Debts.* Read a Third time, and pass'd to be Engross'd. Sent up for Concurrence.

Mr. *Parker* presented to the House according to Order, A Bill intituled, *An Act in Addition to the Act Intituled, An Act for the Regulating of Fees.* Which was Read a First time.

Upon a Motion being made by Mr. *Payne* that a further Allowance be made out of the Treasury for the finishing the Light-House, at the Entrance of the Harbour of *Boston*.

Resolved, That the Sum of *Five Hundred Pounds*, be further allowed, and paid out of the Publick Treasury, to the Committee appointed to take care of the Building a Light-House for the finishing of that work.

Sent up for Concurrence.

And then the House Adjourn'd till to Morrow Morning Nine a Clock. [19]

Martis 19. die Junii, 1716.

THe Petition of *Edward Bishop* &c. upon which a Hearing was had the 15th Currant. Sent down from the Board, pass'd on there, *viz.* In Council *June* 16. 1716. A Hearing having been had yesterday upon the within Petition.

Voted, That *Chebacco*, and the New Precinct do lay a Plan of both Precincts, the next Session, to be done by Capt. *Gardner* of *Salem*, who is a Skilful Artist, and the number of their Inhabitants, of each Precinct, and the Charge to be born as this Court shall see cause to order. Sent down for Concurrence.

Read and Concurr'd.

A Petition of *David Lovering* Citizen and Draper of *London*, by *John Marion* his Attorney, Praying that he may be enabled, to have a new Tryal of a Case between him, and *John Kembal*, Son and sole Executor of *John Kembal* late of *Watertown* Deceased, before the Superiour Court of Judicature, in the County of *Middlesex*, wherein he is now concluded and shut up in the Law for Reasons therein expressed. Sent down from the Board, pass'd on there *June* 16. 1716. Read and *Ordered*, That the Petitioner serve the adverse Party with a Copy of this Petition, that they may be heard before this Court on *Thursday* next, to show reason (if any they have) why the Prayer thereof should not be Granted.

Sent down for Concurrence. Read and Concurr'd.

A Bill Intituled, *An Act in further addition to an Act Intituled, An Act Relating to Sureties upon mean Process in Civil Actions.* Read a Third time, and pass'd to be Engross'd. Sent up for Concurrence.

A Bill Intituled. *An Act in addition to the Act Intituled, An Act for the Regulating of Fees.* Read a Second time.

A Petition of *Samuel Peck* in behalf of the Congregation at *Palmers-Rivers*, in *Rehoboth*. Praying that more effectual Provision may be made for the Maintenance of the Minister there. Sent down from the Board, having been Read there.

Read and Committed.

A Bill Intituled, *An Act for setling Grants.* Read a Second time.

An Accompt of *Nathanael Paine*, Esq; Treasurer of the County of *Bristol*, from *April* 15. 1715. to *April* 14. 1716. having been allowed in the General Sessions of the Peace, in the said County presented to the House for Allowance.

Read and allowed. Sent up for Concurrence.

A Petition of *John Smallpiece* of *Boston*, who was made a Creeple, by being blown up with Gun power, as he was attempting to save the Books of Accompts belonging to the Impost Office, when the said Office was Burnt. Praying Allowance towards the Maintaining of himself and Family. Read.

A Report of *Nathanael Paine*, *Moses Reed*, and *John Rogers*, the Committee appointed to compute the Charge of a High-way to *Pentucket-Bridge*, so far as is needful to purchase it, and lay the same before this Court. Presented to the House and Read, and

Resolved, That the Committee's Report be so far accepted, that the High-way be laid out and setled according thereto, And the Sum of *Ten Pounds* be allowed and paid out of the Publick Treasury to purchase the Land thereof, according to the said Report.

And that *Twenty-Four Shillings* be paid out of the Treasury, to the said Committee for their Service and Expences. Sent up for Concurrence.

The Bill Intituled, *An Act stating the Fees of the Custom-House Officers within this Province.* Brought down from the Board, Concurr'd with some Amendments, which were Read and agreed to by the House. And sent up.

3 Post Meridiem.

A Petition of *Spencer Phips*, alias *Bennet* Esq; Praying this Court to Declare and Confirm his Sir-Name to be *Phips*, having been Adopted by Sir *William Phips* Knt. Deceased, who desired that he might bear his Name. Sent down from the Board, pass'd on there, *viz.* In Council, *June* 18. 1716. Read and *Ordered*, That the Prayer of this Petition be Granted, and that a Bill be prepared accordingly. Sent down for Concurrence. Read.

A Petition of *Mary Plaisted* Widow, formerly Wife of *John Sayword* of *York*, who Dyed Intestate, and Administratrix to his Estate, praying that she may be enabled to make Sale of so much of the Land which the said *Sayword* Dyed seized of, as will Amount to the Sum of *l.* 72 13 *s.* 6 *d.* for Reasons therein alledged. Sent down from the Board, pass'd on there, *viz.* In Council *June* 18. 1716. Read and *Ordered*, That the Petitioner serve the adverse Party, with a Copy of this Petition, and that they be heard on the Second *Wednesday* of the Fall Session of this Court, if any thing they have to say, why the Prayer thereof should not be Granted. Sent down for Concurrence.

Read and Concurr'd. [20]

A Petition of *Daniel Bartlet* of *Mendon*, praying that he may be Enabled to have a new Tryal of a Case between him, and *Nathanael* and *Timothy Halloway*, wherein he is at present precluded, and shut up in the Law to his great Damage, for reasons therein set forth. Sent down from the Board, pass'd on there, *viz.* In Council, *June* 19. 1716. Read and *Ordered*, That the Petitioner serve the adverse Party with a Copy of this Petition. That they may be heard before this Court on the Second *Wednesday* of the Fall Session, if they have any thing to object why the Prayer thereof should not be Granted.

Sent down for Concurrence. Read and Concurr'd.

Resolved, That the Sum of *Five Thousand Pounds* of Bills of Publick Credit on this Province, be further and forthwith made by the Committee last appointed by this Court to make such Bills, who shall be paid for their making them, in the same proportion as they were for the last they made.

That the said Committee deliver the said Bills to the Treasurer, taking his Receipt for the same.

And the said Treasurer is hereby Directed and Impowered to Issue forth and Emit, the said Sum of *Five Thousand Pounds* for Payment of the Publick Debts of the Province, already contracted, for the Defence and Support of the Government, and the necessary protection and preservation of the Inhabitants of this Province, and for the Subsisting of Forts, or Garrisons, and Wages arising for their Service, for payments of Grants, Salaries, and Allowances, made or be made by this Court according to such Draughts as from time to time shall be made upon him by Warrant, or Order of the Governour or Commander in Chief for the time

being, and by and with the advice and consent of the Council, And the said Bills shall pass out of the Treasury, as the value therein expressed, equivalent to Money, and shall be taken and accepted in all publick Payments, at the advance, and after the rate of *Five Pounds per Cent.* more.

And as a Fund and Security for the same, There be and hereby is Granted to His most Excellent Majesty to the Ends and Uses as aforesaid, a Tax of *Five Thousand Pounds*, to be Levied on Polls and Estates both real and personal within this Province, according to such Rules, and in such Proportion upon the several Towns and Districts within the same, as shall be agreed on, and Ordered by the Great & General Court or Assembly of this Province at their Session in *May*, *Anno* 1719. and paid into the Treasury, on or before the last Day of *December* next after. Sent up for Concurrence.

Whereas this Court have Ordered the Calling in and Exchanging of several of the Denominations of the Bills of Publick Credit on this Province, and many of the Bills that are paid into the Treasury are Torn, and Defaced, which can be of no use, but some Hazard to lodge long in the Treasury.

Ordered, That *Charles Chambers* Esq; the Representatives of *Boston*, *Jonathan Dowse*, and *William Denison* Esqrs; with such as the Honourable Board shall nominate, be a Committee, at any time (between this Session, and the Session of this Court in *May* next) when the Treasurer shall have *Two Thousand Pounds*, or more, of Bills in the Treasury that are received in Exchange as aforesaid, or otherwise Defaced, and unfit for Use, at his application to them, to take an Accompt of the number, of each of the sorts of the said Bills, and the Sum the whole Amounts to, and give the Treasurer Receipt for them, and Burn the said Bills to Ashes, and make Report of their doings to this Court as often as there shall be opportunity, whose Receipt shall be a Discharge to the Treasurer, equal to what the said Bills would have been if they had continued in his Hands.

Sent up for Concurrence.

An Engross'd Bill Intituled, *An Act in further Addition to An Act, Intituled, An Act for making Lands, and Tenements liable to the payment of Debts.* Read, and

Resolved, That the Bill do pass to be Enacted.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Mercurii, 20. die Junii. 1716.

A Bill Intituled, *An Act in Addition to An Act Intituled, An Act for the Regulating of Fees.* Read a Third time.

And the Question being put, *Whether the Bill do pass to be Engross'd?*

It pass'd in the Negative.

Capt. *John Gardner* presented to the House a Plat of the Lands, lying between

the Townships of *Haverhill* and *Dracut*, Delineating all the Grants of Land that have been made to particular Persons, and taken up within that space, for the Use and Direction of the House in making Grants there for the future. [21]

Ordered, That the Thanks of the House be given to Capt. *Gardner* for his said Plat.

Ordered, That the Thanks of the House be given to the Honourable Col. *Benjamin Church*, for the Books he presented to the House this Session.

Ordered, That Mr. *Payne* and Major *Stoddard* be desired to prepare and bring in a Bill for Granting to His Majesty, several Rates and Duties of Impost & Tunnage of Shipping.

A Report of *John Cushing* Esq; in behalf of the Committee appointed the 26th Day of *October* 1714. upon the Petition of the Town of *Bridgewater*, to run the Line between the Counties of *Plymouth* and *Bristol*. Sent down from the Board, pass'd on there, *viz.* In Council *June* 16. 1716. Read and Accepted.

Sent down for Concurrence. Read and Concurr'd.

Whereas there is a different Understanding of the sense of the Law, respecting the Choice of the Register of Deeds in the several Counties, some apprehending that such Election is not duly performed, unless some one Person, have the major part of the Voters, in which sense the performing of such Election may be very difficult, and require the Assembling of the Inhabitants of the several Towns of the County divers times before an Election is made.

Resolved, That the Person who has the greatest Number of Votes, for Register as aforesaid is duly chosen into that Office. Sent up for Concurrence.

The Petition of *Samuel Partridge* Esq; &c. Committee for the Town of *Northfield*, praying as entred the 18th Currant. Read, and in answer to the Petition.

Ordered, That *Ten Men* in the Publick pay be allowed for the covering and encouragement of the said New Plantation, until the Session of this Court the next Fall, who are not to be of the Inhabitants there.

Sent up for Concurrence.

The Report of the Committee of both Houses, appointed to consider the Paragraph of the Lieut. Governours Speech, for promoting the produce and Trade of this Country. Sent down from the Board, having been Read there, *June* 20. 1716.

Read, and is as follows, *viz.* The said Committee humbly offer.

That a Premium of *Forty Shillings per* Head be allowed and paid to the Importer for *Seven Years* next coming, of Male Servants, of the Age of *Eight Years* to *Sixteen Years*, as shall be Imported from *Great-Britain*, the Islands of *Guernsey* and *Jersey*, and that an Act be drawn accordingly.

That there be *One Hundred Thousand Pounds* in Bills, Imprinted by Order of the Government on a new Plate, different from what hath been already done to

be Let out to such of the Inhabitants of this Province as shall see cause to take, out the same, on good, real Security, allowing *Five per Cent. per Annum*, Interest, on the Sum taken out, for the space of Ten Years, any person to have Liberty to pay in his Money at the end of One Year, and Yearly if he see cause, and in such case the said Sum to be Let out to any other Person, the neat Profits of what shall be gained, by the Interest of the said Bills to go to the Support of the Government of this Province. And that said Bills pass in all Payments both publick and private, as the Publick Bills on this Province do.

That such as take out said Bills their Mortgaged Estates, to be the principal Fund for the same, and that the Common and Undivided Lands within this Province, be an Addition or Colloterall Security. No man to take out upon his Lands more than one half the value. None to take out less than *l.* 25, or more than *l.* 1000.

That it would be of great Service to the better Regulating Trade, Restricting the extravagant Credit given, preventing the Importation of unnecessary Goods, and thereby tend very much to abate the want to Money, if it were Enacted, That all Book Debts, contracted after the Publication of this Act, shall carry Interest after One Year, from the time they are contracted, that therefore an Act be drawn accordingly.

By Order of the Committee. *Andrew Belcher.*

Post Meridiem.

An Engross'd Bill, Intituled, *An Act in further Addition to An Act, Intituled An Act relating to Sureties upon mean Process in Civil Actions.* Read, and

Resolved, That the Bill do pass to be Enacted.

The Vote of the Board entred yesterday on the Petition of *Spencer Phips* Esq; Read again and Concurr'd.

The Report of the Committee of both Houses mentioned in the Forenoon.

Read again.

The First Paragraph thereof Read and Debated.

And the Question being put, *Whether the House accept the same?* It pass'd in the Negative.

The Second Paragraph for the Making and Lending of *l.* 100000, in Bills.

Read and accepted.

The Third Paragraph thereof Read and Accepted.

And the following Vote was entred upon the said Report, *viz.* Read and Accepted [22] (Saving the First Paragraph.) And that *Elisha Cooke*, *Samuel Thaxter*, & *Oliver Noyes*, Esqrs; with such as the Honourable Board shall appoint be a Committee to prepare the Draught of a Bill or Bills accordingly.

Sent up for Concurrence.

Ordered, That it be a Rule of the House, That when it shall so happen, that any Person desires an Act of this Court for the change of their Name, *Five Pounds* shall be paid to the Speaker of this House, for the time being, before he Sign's such Act.

An Engross'd Bill, Intituled, *An Act stating the Fees of the Custom-House Officers within this Province.* Read, and

Resolved, That the Bill do pass to be Enacted.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Jovis, 21. die Junii, 1716.

A Message from the Board that they had Concurr'd the Vote of this House, pass'd the 12th Currant, for the raising of *l.* 11000 Tax with some Amendments, which were Read and Agreed to by the House. And the Vote as it stands amended is as follows, *viz.*

Voted, That *Eleven Thousand Pounds* of the *l.* 22000, Granted in the Year, 1711. be Levied and Collected by a Tax on Polls and Estates.

And that the Duties of Impost and Tunnage of Shipping, and Excise, be a Fund and Security for the drawing in the remaining *Eleven Thousand Pounds.*

Ordered, That Capt. *Chambers*, and Mr. *Stephen Pierce* prepare & bring in a Bill relating to *Billerica-Bridge*, agreable to the Vote of this House thereupon.

A Petition of *Hezekiah Bosworth* of *Plymouth*, presented to the House and Read, praying consideration for the loss of one of his Eyes, occasioned by illness, contracted in the Service, in the last Expedition to *Port-Royal.*

And the Question being put, *Whether the Prayer of the Petition be Granted?*

It pass'd in the Negative.

A Petition of *John Ballentine* Jun. in behalf of the Town of *Worcester*, presented to the House & Read, praying that the Lands of the Non-Resident Proprietors of the said Town may be made subject and liable to Taxes for Three Years next coming, as the Lands of the Resident Proprietors are.

Ordered, That the Prayer of the Petition be so far Granted, That the Home-lotts of the Non-Resident Proprietors, shall be liable and subject to Taxes for Three Years next coming, equally with the Home-lotts of the Resident Proprietors, the Poll Tax of the Residents, not to be less than *Five Shillings*, the said Taxes to be Apportioned and raised by the Committee, if the Inhabitants shall not be able to act as a Town. Sent up for Concurrence.

Post Meridiem.

The Bill Intituled, *An Act for the more effectual discovering of the Rateable Estates within this Province for a just and true Valuation thereof.* Sent down

from the Board, Concurr'd with some Amendments, which were Read and Agreed to by the House, and sent up.

The Petition of *Samuel Peck*, praying as entred the 19th Currant, further considered, and the Report of the Committee thereon, Read & Accepted by the House, & accordingly,

Ordered, That the Petition be Dismist in that the Court in their former Order of *Fifty Pounds* have made suitable Provision for the Congregation at *Palmers-River* for the present.

A Memomial of the Ministers of this Province Agreed upon in their Convention at *Boston*, the Day after the last Election of Councellors, Signed *Cotton Mather*, Moderator. Proposing, That the Minister or Ministers, with the Selectmen for the time being, should Visit and Inspect the several Families in their respective Towns, and where they find Bibles or Catechisms wanting, and the People unable through Poverty to furnish themselves, That they shall be supplied with them, and the charge paid out of the Town Treasury. And that an Act be pass'd for that end. Sent down from the Board, pass'd on there, *viz. June* 21. 1716. Read and Recommended.

Read, and *Ordered*, That it be Referred to further Consideration at the next Sessions.

Capt. *Chambers* according to Order presented to the House a Bill, Intituled, *An Act relating to the Great Bridge in* Billerica. Which was Read a First time.

The Representation of *Nathanael Byfield* and *Nathanael Paine* Esqrs; moving as entred the 18th Currant, further considered, and the report of the Committee thereon, Read and Accepted by the House and accordingly,

Voted, That it be Recommended to the Justices of the General Sessions of the Peace, [23] vigorously to put in Execution, the Wholesome Laws made, not only in procuring a Minister, but in Ordering the Town to be Assessed for their necessary Support. Sent up for Concurrence.

Mr. *Payne* according to Order, presented to the House a Bill Intituled, *An Act for Granting to His Majesty several Rates, and Duties of Impost and Tunnage of Shipping.* Which was Read a First time.

A Message from the Board, That the House now come up to attend the Hearing appointed to be this Day upon the Petition of *David Lovering*, per *John Marion* his Attorney.

Mr. Speaker and the House went up accordingly, and the Hearing of both Parties being ended, they return'd to their own Chamber.

A Bill Intituled, *An Act for the change or alteration of the Sir-Name of* Spencer Bennet, *alias* Phips *of* Cambridge *Esq;* Read a First time.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Veneris, 22. die Junii, 1716.

A Bill Intituled, *An Act for Apportioning and Assessing a Tax of l.* 11151 13 *s.* 10 *d. upon Polls and Estates.* Read a First, and Second time, and pass'd to be Engross'd. Sent up for Concurrence.

A Bill Intituled, *An Act relating to the Great Bridge in* Billerica. Read a Second and Third time, and pass'd to be Engross'd.

Sent up for Concurrence.

The Petition of *David Lovering*, on which there was a Hearing yesterday. Sent down from the Board, pass'd on there, *viz. June* 21. 1716.

A Hearing being had this Day according to appointment, on the within Petition.

Ordered, That it be Dismist. Sent down for Concurrence.

Read and Concurr'd.

A Petition of *Mercy Vering* Widow, Relect of *John Vering* late of *Boston*, Deceased Sailmaker, and *Thomas Vering* Marriner, and Administrator of the Estate of his late Father the said *John Vering*, presented to the House and Read, praying that they may be enabled to make Sale of a House and Land which the said *John Vering* Dyed seized of, and left under an Entail, for the relief and support of the said Widow.

A Petition of *Moses Printer*, Indian, and *Joshua Underwood*, presented to the House and Read, praying that the said *Printer* may have Licence to Sell to the said *Underwood*, Two Hundred Acres of his Land lying at *Assanamisco.*

And the Question being put, *Whether the Prayer of the Petition be Granted?*

It pass'd in the Negative.

A Bill Intituled, *An Act for the change or alteration of the Sir-Name of* Spencer Bennet, *alias* Phips *of* Cambridge *Esq;* Read a Second and Third time, and pass'd to be Engross'd. Sent up for Concurrence.

A Bill Intituled, *An Act for Granting unto His Majesty, several Rates and Duties of Impost, and Tunnage of Shipping.* Read a Second time, and pass'd to be Engross'd. Sent up for Concurrence.

Samuel Sewall, Penn Townsend, Edward Bromfield, and *Addington Davenport* Esqrs; brought down the Report of the Committee of both Houses, relating to the Advance of Trade, *&c.* Concurr'd by the Board with the following Amendments, *viz.* In Council, *June* 22. 1716.

That the Præmium of *Forty Shillings per* Head, for Importing of Male Servants, *&c.* be Recommended for further Consideration.

That *One Hundred Thousand Pounds*, shall be Emitted to Let out, at *Five per Cent per Annum*, for the use of this Province.

That the Bills be of the same Tenour with those that are already Emitted.

That the last Paragraph be referred to further Consideration.

Sent down for Concurrence. Read.

A Message to the Board by Capt. *Noyes*, Mr. *Cooke*, Mr. *Payne*, and Col. *Thaxter*, That this House desire they will pass a Concurrence or Non-Concurrence, upon the Vote of this House on the Report of the said Committee.

Post Meridiem.

An Engross'd Bill, *Intituled, An Act for the more effectual discovering of the Rateable Estates within this Province, for a just and true Valuation thereof.*

Read, and

Resolved, That the Bill do pass to be Enacted.

A Petition of *Jonathan Head*, and *Benjamin Head* of *Little-Compton*, shewing, That they had Appealed in Two Actions, from the Judgment of the Inferiour Court of Common [24] Pleas, holden in *Bristol*, to the Superiour Court of Judicature, and left their Reasons of Appeal Three Days before the time Limitted by the Law, with the Wife of the Clerk of the said Inferiour Court, who promised to deliver them to her Husband, not then at home, but neglected it till within 13 Dayes before the Court, by which means their Reasons of Appeal was quash'd, and Judgment was affirm'd against them, Praying Relief. Sent down from the Board, pass'd on there, *viz June* 20. 1716. Read, and *Ordered*, That the Petitioners be admitted to a new Tryal of their several Actions mentioned in this Petition, at the next Superiour Court, to be holden for and within the County of *Bristol*. They Filing Reasons of Appeal according to Law, and that the adverse Party be served with a Copy of this Petition, and Order, that they may have timely Notice thereof. Sent down for Concurrence.

Read and concurr'd.

A Report of *Josiah Converse*, *John Sterns*, and *John Houghton*, a Committee appointed at the Sessions of this Court, begun in *May* 1715. to run the Line between the Towns of *Stow* and *Concord*. Read, and Committed to the Committee for Petitions, Capt. *Gardner* being added to the said Committee upon this occasion.

Upon a Motion being made.

Ordered, That *Four Shillings & Six Pence per* Man, *per* Week, be allowed to Capt. *Zechariah Tuthill* for Victualling the Men at *Castle William*, for the Year coming. Sent up for Concurrence.

The Bill Intituled, *An Act for the change or alteration of the Sir-Name* of Spencer Bennet, *alias* Phips, *of* Cambridge *Esq;* Sent down from the Board, Concurr'd with some Amendments, which were Read, and Agreed to by the House, and the Bill sent up again.

Ordered, That a Message be sent up to His Honour the Lieut. Governour, Requesting him to improve *Joseph Kellog*, lately returned from *Canada*, where he was a Captive; in some Post, wherein he may support himself.

A Petition of *Adine Bulfinch*, and 18 others, presented to the House and

Read, praying that the Duties of Impost, on their Goods Imported in the Ship Hopewell, that suffered Shipwreck in *April* last, off the Town of *Scituate*, and the Goods greatly Damnified, may be abated.

Ordered, That the Prayer of the Petition be Granted, and the Duties of Impost be abated to the Subscribers, and all those alike concerned in the said Ship.

Sent up for Concurrence.

And then the House Adjourned till to Morrow Morning Nine a Clock.

Sabbati, 23. die Junii, 1716.

O*Rdered*, That the *Five Thousand Pounds* of Bills of Credit, Directed to be Made this Session, be made *One Thousand Pounds* thereof on the new middle Plate, that contains the 3 *s.* 5 *s.* 10 *s.* & 20 *s.* Bills, & *Four Thousand Pounds* thereof on the highest Plate, that contains the 30 *s.* 40 *s.* 60 *s.* 100 *s.* Bills. And whereas the Honourable *Samuel Sewall* Esq; has desired to be Dismist out of the Committee for making of the said Bills, That the Honourable *Adam Winthrop* Esq; be of the said Committee in his place. Sent up for Concurrence.

The Amendments of the Board to the Report of the Committee of both Houses, entred yesterday. Read again, and upon the Question severally put, The last Paragraph only was Agreed to.

The Bill Intituled, *An Act for Granting to His Majesty an Excise upon Wines, Liquor and other Strong Drink, Sold by Retail.* Sent down from the Board with several Amendments, the most of which were agreed to by the House, and the Bill sent up again.

A Bill Intituled, *An Act for preventing Illegal Trade with the Indians.*

Read a First time.

An Engross'd Bill Intituled *An Act for the change or alteration of the Sir-Name of* Spencer Bennet *alias* Phips *of* Cambridge, *Esq;* Read, and

Resolved, That the Bill do pass to be Enacted.

And then the House Adjourn'd till Monday next Three a Clock Afternoon.

Lunee 25. die Junii, 1716.

R*Esolved*, That the Sum of *Fifty Pounds* be allowed and paid out of the Publick Treasury for the Hire of a Person to take care of the Light-House, for the First Year, to begin when the Lights are set and kept up. [25]

And the Committee appointed to take care of the Building the Light-House are desired to procure a suitable Person to keep it. Sent up for Concurrence.

A Petition of *John Buchanan* and 12 others, *Bakers* of *Boston*, presented to the House and Read, Praying that the Assize of Bread may be Regulated more in their favour, for reasons therein alledged.

Ordered, That the consideration of the said Petition be referred to the next Session.

An Engross'd Bill, Intituled, *An Act for Apportioning and Assessing a Tax of Eleven Thousand Fifty One Pounds, Thirteen Shillings & Ten Pence, upon Polls and Estates.* Read, and

Resolved, That the Bill do pass to be Enacted.

A Message from His Honour the Lieut. Governour by *Addington Davenport*, and *Adam Winthrop* Esqrs; That he has caus'd the Fort at *Casco-Bay* to be Demolisht according to the Desire of the House.

A Bill Intituled, *An Act for preventing Illegal Trade with the Indians.*

Read a Second time.

Voted, That His Honour the Lieut. Governour be desired to draw off the *Ten Men* that are Supernumerery at *Fort-George*, there being now a hopeful Prospect of the continuance of Peace. Sent up for Concurrence.

An Engross'd Bill, Intituled, *An Act in addition to the Act for Regulating Fees, stating the Fees of the Officers of the Court of Admiralty.* Read, and

Resolved, That the Bill do pass to be Enacted.

A Petition of *Nehemiah Walter*, Pastor, and *John Payson*, and *John Mayo*, Deacons of the Eldest Church in *Roxbury*, praying this Court to Remedy the great inconveniency which the School in the said Town labours under by the Leasing of the Lands, with which it is endowed at a low Rate, for the Term of *Five Hundred Years*, contrary as they suppose, to the pious intention of the Doner. Sent down from the Board, pass'd on there, *viz. June* 25. 1716. Read, and

Ordered, That the Petitioners cause the adverse Party to be served with a Copy of this Petition, that they may be heard before this Court, on the First *Fryday* of the next Session. Sent down for Concurrence.

The Bill Intituled, *An Act relating to the Great Bridge in* Billerica. Sent down from the Board with an Amendment, which was Read and not agreed, & the Bill sent up again.

A Petition of *Thomas Fitch, Nathanael Carey, Charles Chambers, Samuel Greenwood*, and *Oliver Noyes*, a Committee appointed by this Court to provide Sundry Necessaries for the Train of Artillery *&c.* Directed by Her late Majesty Queen *Anne*, to be here provided for the Expedition against *Canada, Anno* 1711. who for the Sums they advanced in that Service, Received Bills of Exchange drawn by the then Governour, upon the Lord High-Treasury of *Great Britain.* But none of the said Bills have as yet been excepted. And the Petitioners had the Loan of *l.* 3812 8 *s.* 7 *d.* Granted to them in Bills of Publick Credit out of the Publick Treasury, in consideration of their being in advance for that Service, and which they stand obliged to pay into the Treasury in *July* next. Presented to the House and Read, praying the further favour of this Court, in continuing to them the said Loan for One Year more; they having now a more hopeful prospect that the said

Bills of Exchange will be paid in some space of time, the Parliament having lately taken them into their Consideration.

Ordered, That the Prayer of the said Petition be Granted.

Sent up for Concurrence.

A Memorial of *Samuel Sewall*, *John Leverett*, *Thomas Fitch*, and *Daniel Oliver*, a Committee appointed by the Trustees for the Improvement of Mr. *Hopkins* his Legacy, presented to the House & Read, praying that the Fee of the Lands in *Hopkinston*, which has been reserved to the Province may be vested in the said Trustees, to promote the pious intention, of the said Plantation. And That Persons may be forbidden taking up the Meadows, and making Strip and Waste of the Trees and Timber there.

Ordered, That the said Memorial be referred to the next Session for Consideration. And the said Trustees are hereby requested, and impowered to take care in behalf of the Province, to prevent any Strip or Waste, on the Lands belonging to the Province, lying in *Hopkinston*, by prosecuting such Offenders, according to the Laws in that case provided. Sent up for Concurrence.

A Message from the Board, desiring the House to send up for their Consideration, the Form of a Bill in which they propose to have the *l.* 100000, made pursuant to the Report of the Committee's of both Houses.

Mr. Speaker sent up a Form of a Bill, for the said purpose, which had been projected and offered to the House by one of the Members, and Read. [26]

An Engross'd Bill, Intituled, *An Act for Granting unto His Majesty several Rates and Duties of Impost, and Tunnage of Shipping.* Read, and

Resolved, That the Bill do pass to be Enacted.

The Bill Intituled, *An Act Granting unto His Majesty an Excise upon Wines, Liquors and other Strong Drink Sold by Retail.*

Sent down from the Board, Non-Concurr'd.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Martis, 26. die Junii, 1716.

THe Bill Intituled, *An Act for Granting to His Majesty, an Excise upon Wines*, &c. further considered, and

Ordered, That the Excise upon *Cyder*, and *Perry*, be but *One Shilling, per* Barrel.

Ordered, That the House insist on the said Bill, and move the Honourable Board to Reconsider it, and pass a Concurrence thereon. And it was sent up with the said Message by Capt. *Noyes*, Mr. *Anthony Stoddard*, Major *Stoddard*, Capt. *Chambers*, and Col. *Goffe*.

A Message from the Board by *Elisha Hutchinson*, *Addington Davenport*, and *Edward Bromfield*, Esqrs; proposing that the parts of this Province, Eastward of

York, may be annexed to the County of *York*, during this Courts Pleasure, for the better Government of such as sojourn or reside there.

And that the House prepare a Bill for that end.

A Message sent up to the Board by Mr. *William Denison*, and Major *Stoddard*, moving them to have such Bill prepared against the next Session. And that the Bill Granting unto His Majesty an Excise, *&c.* may have as speedy a Dispatch as may be that the Court may rise.

An Accompt of Mr. *Jeremiah Dummer* late Treasurer of the County of *Suffolk*, from *June* 23. 1715. to *May* 2. 1716. Presented to the House for Allowance.

Read and Allowed. Sent up for Concurrence.

A Petition of *Nathanael Henchman* of *Boston*, Merchant, presented to the House and Read, shewing, that he received of the *Ten Thousand Pounds* Loan of Province Bills, *Anno* 1711 the Sum of *Fourteen Hundred Pounds*, which he Disbursed to pay off Transports, that were taken up on Her late Majesties Account in the Expedition to *Canada* the said Year. And took Bills of Exchange on the Lord High Treasurer of *Great Britain*, for the same, to the Sum of *l.* 996 18 *s.* 8 *d.* Sterling, payable at 30 Dayes sight, but no part of the said Bills is yet paid. Praying the continuation of the said Loan for One Year more.

Resolved, That the Prayer of the said Petition be Granted.

Sent up for Concurrence.

A Petition of *Thomas Palmer*, *Edward Lyde*, and 23 others, Merchants, *&c.* to whom this Court lent of the Bills of Publick Credit, *Anno* 1711. to enable them to supply the *British* Troops, then designing an Expedition against *Canada*, for which Supplies they received of the General and Admiral of the said Expedition, Bills of Exchange on the Lord High Treasurer of *Great Britain*. Presented to the House and Read, shewing, That as yet no more than Two Thirds of the said Bills of Exchange are paid. Praying that the Loan of one Third part, of the said Bills of Credit, that are outstanding in their Hands, may be continued to them for One Year more, in which time they have hopes to obtain the Payment of the remaining Third part of the said Bills of Exchange, the Parliament having lately taken the same into their Consideration.

Resolved, That the Prayer of the Petition be Granted, in behalf of the Petitioners and others alike concerned. Sent up for Concurrence.

A Petition of *Andrew Belcher* Esq; and *Jonathan Belcher*, of *Boston*, Merchants, presented to the House and Read, Praying that *Fourteen Hundred Pounds*, part of the Sum lent to them in Bills of Credit, out of the Publick Treasury, *Anno* 1711. to assist them to furnish Stores to General *Hill*, and Admiral *Walker*, for the Arms and Fleet under their Command, bound on an Expedition to *Canada*, may be Lent to them for One Year more, for Reasons therein given.

Resolved, That the Prayer of the Petition be Granted.

Sent up for Concurrence.

An Engross'd Bill Intituled, *An Act relating to the Great Bridge in* Billerica. Read, and

Resolved, That the Bill do pass to be Enacted.

The following Resolve Sent down from the Board for Concurrence, *viz.* In Council, *June* 26. 1716.

Resolved, That for the more convenient Administration of Justice, all the Lands, Families and Settlements, within this Province, to the Eastward of the Province of *Maine*, shall be annexed to the County of *York*, and shall be part of the same, to all intents and purposes, until this Court shall take further Order. Any Law, Usage, or Custom to the [27] contrary notwithstanding.

Sent down for Concurrence. Read and Concurr'd.

A Message from the Board, That they had pass'd a Concurrence on the Bill Intituled, *An Act Granting unto His Majesty an Excise upon Wines, Liquors, and other Strong Drink, Sold by Retail.*

A Bill Intituled, *An Act for Reviving and further Continuing of An Act Intituled, An Act directing how Rates and Taxes, to be Granted by the General Assembly shall be Assessed and Collected.* Read three Times, and Pass'd to be Engross'd.

Sent up for Concurrence.

3 Post Meridiem.

A Petition of *Samuel Keeling, Edward Martyn*, and 4 others, in behalf of the Artillery Company in *Boston*, presented to the House and Read, Praying that 500 Acres of Land, which are reserved to the Province in the Township of *Rutland*, may be Granted to the said Artillery Company, to fulfil a Grant made to them by the General Court, *October* 15. 1673.

An Engross'd Bill, Intituled, *An Act for Reviving and further Continuing of An Act Intituled, An Act, directing how Rates and Taxes to be Granted by the General Assembly, shall be Assessed and Collected.* Read, and

Resolved, That the Bill do pass to be Enacted.

A Message from His Honour the Lieutenant Governour, That seeing the Court can't presently finish the Affair, contained in the Report of both Houses for making *l.* 100000 of Bills of Credit, he purposes to make a short Prorogation, and that a Committee be appointed in the mean time to prepare a Bill for that end, and lay before the Court when they meet.

Ordered, That *Elisha Cooke, Charles Chambers, Anthony Stoddard*, Esqrs; and Capt. *John Gardner* with such as the Honourable Board shall appoint to be a Committee, in the recess of this Court to consider the Report of the Committee of both Houses for promoting the Produce and Trade of this Province, wherein is Projected, the Making and Emitting the Sum of *One Hundred Thousand Pounds* in Bills of Credit. And prepare and lay before the Court at their next

Session, the Draught of a Bill such as they shall think proper for this Court to Enact thereupon. Sent up for Concurrence.

A Petition of *David Haynes*, for himself and the rest of the Children of *John Haynes*, formerly of *Sudbury*, Deceased, presented to the House and Read, praying the Court to confirm to them a Plat of 1686, Acres of Land thereto annexed, taken pursuant to the Order of this Court in *June* last, *per William Ward* Surveyor, and Chainmen under Oath.

Ordered, That the Prayer of the Petition be Granted, *Provided*, it interfere with no other Grant. Sent up for Concurrence.

Ordered, That the Persons hereafter Named be Commissioners of Excise agreeable to an Act of this Court, pass'd the present Sessions. *viz.*

For the County of	*Suffolk*, Mr. William Payne.	*Essex*, Mr. Francis Willoughby.
	Middlesex, Col. Edmund Goffe.	*Hampshire*, Mr. John Partridge.
	Plymouth, Mr. Isaac Lothrop.	*Barnstable*, Mr. Joseph Lothrop.
	Bristol, Capt. Samuel Gallop.	*York*, Capt. John Leighton.
	Dukes-County, Capt. Zacheus Mayhew.	*Nantucket*, Mr. John Coffin.

Sent up for Concurrence.

Resolved, That the Sum of *Two Hundred & Fifty Pounds*, be allowed and paid out of the Publick Treasury, to His Honour WILLIAM TAILER Esq; Lieut. Governour and Commander in Chief of this His Majesties Province, for His Support in Managing the Affairs of the Government. Sent up for Concurrence.

Resolved, That the Sum of *Three Hundred Pounds*, be allowed and paid out of the Public Treasury to the Honourable the Judges of the Superiour Court of Judicature, in proportion to the Courts they attended the Year past.

Sent up for Concurrence.

The Petition of *Samuel Woodward* Esq; Secretary of this His Majesties Province, praying as entred the 11th Currant, Read again, and

Ordered, That Mr. *Anthony Stoddard*, Mr. *Daniel Rogers*, and Mr. *David Freeman*, be a Committee to Inspect the Books, and consider the Service of the Secretaries Office, and make Report to the House.

And then the House Adjourn'd till to Morrow Morning Nine a Clock. [28]

Mercurii, 27. die Junii, 1716.

MR. *Stoddard* from the Committee appointed, Reported, That they had Inspected the Books of the Secretaries Office, and find that between the Death of Mr. Secretary *Addington*, and the coming of Mr. Secretary *Woodward*, the Books of the Office had not been Posted up, which Mr. *Woodward* has had done at a considerable Cost & Charge extraordinary, having imployed Three Persons besides himself therein.

Resolved, That the Sum of *Ninety Pounds* be allowed and paid out of the Pub-

lick Treasury to *Samuel Woodward* Esq; Secretary of this His Majesty's Province, in consideration of his extraordinary Charge and Trouble in Posting up the Books of his Office, that were about Six Months behind, when he came to the Office, and other his extraordinary Services the Year Currant, for which he has been necessitated to imploy several Persons. Sent up for Concurrence.

Resolved, That the Sum of *Forty Pounds* be added to the Allowance of the Reverend Mr. *John Leverett*, President of *Harvard-College* for the Year Currant, beginning in *January* last, and paid to him out of the Publick Treasury.

Sent up for Concurrence.

An Engross'd Bill Intituled, *An Act Granting unto His Majesty, an Excise upon Wines, Liquor, and other Strong Drink, Sold by Retail.* Read,

Resolved, That the Bill do pass to be Enacted.

Resolved, That the Sum of *Two Hundred & Twenty Pounds*, be allowed and paid out of the Publick Treasury to Mr. *Jeremiah Allen*, Treasurer of this Province, for his Service the Year past, his trouble being extraordinary in Changing the Bills of Credit, and taking care for the Supply of the Garrison.

Sent up for Concurrence.

Resolved, That the Sum of *Twenty Pounds* be allowed and paid out of the Publick Treasury to Mr. *John White*, Clerk of this House in part for his Service the Year Currant. Sent up for Concurrence.

Ordered, That the further consideration of Mr. *Jeremiah Dummer*'s Service, as Agent for this Province, be continued to the Session of this Court the next Fall.

Resolved, That the Sum of *Twenty Pounds*, be allowed, and paid out of the Publick Treasury to Mr. *John Flagg*, Doorkeeper to His Honour the Lieutenant Governour, and this Court, for his Service half a Year, ending yesterday.

Sent up for Concurrence.

Col. *Thaxter* from the Committee for Petitions, reported their Opinion, how the Divisional Line between the Towns of *Concord* & *Stow*, ought to Run, which was Read, and

Ordered, That the Consideration thereof be referred to the next Session.

An Accompt of *Joseph Marion* of Writings done by him for this House, this Session, Amounting to the Sum of *Three Pounds, Seven Shillings*, presented to the House for Payment. Read, and

Resolved, That the Sum of *Three Pounds, Seven Shillings*, be allowed and paid out of the Publick Treasury, to Mr. *Joseph Marion* to Discharge the said Accompt. Sent up for Concurrence.

An Accompt of *Bartholomew Green*, for Printing the Journal of this House, in their Sessions begun in *May, July* and *August*, the last Year, and finding Paper, Folding and Stitching them, Amounting to the Sum of *l.* 22 17 *s.* 6 *d.* Presented to the House for Payment. Read, and

Resolved, That the Sum of *Twenty Two Pounds, Seventeen Shillings & Six Pence*,

be allowed and paid out of the Publick Treasury to Mr. *Bartholomew Green*, Printer, to Discharge his said Account. Sent up for Concurrence.

Ordered, That the Journal of this House of this Session, be Imprinted, and that the Representatives of *Boston*, be desired to inspect the same, and take care to have it done.

Ordered, That for the future, the Votes of this House be Imprinted Twice a Week, and that each Member of this Court, be furnished with a Copy from time to time, *Gratis*.

A Message from the Board by *Benjamin Lynde*, and *John Clark* Esqrs; That His Honour the Lieut. Governour directs this House to attend him forthwith in the Council Chamber.

Mr. Speaker and the House went up accordingly.

And His Honour the Lieut. Governour *Prorogued* the Court to *Wednesday* the First Day of *August* next, at Ten a Clock in the Forenoon.

BOSTON: Printed & Sold by B. Green. 1716. [29]

JOURNAL

Of the House of Representatives.

At a Great and General Court or Assembly of His Majesty's Province of the Massachusetts-Bay in New-England, begun & held at Boston, upon Wednesday the 30th Day of May, Anno Domini, 1716. And continued by Prorogation to Wednesday the First Day of August, and then Met.

A Message sent up to the Board by Col. *Thaxter*, Capt. *Chambers*, and Major *Stoddard*, That this House are Met, and ready to proceed upon the Business of the Session as soon as it shall be laid before them.

A Message from the Board by *John Clark* and *Thomas Hutchinson* Esqrs, That His Honour the Lieut. Governour, is at the Board and desires the Attendance of this House.

Mr. Speaker and the House went up accordingly: And His Honour the Lieut. Governour made a Speech to the Court, whereof Mr. Speaker received a Copy, and with the House return'd to their own Chamber.

His Honours Speech Read, and is as follows: *viz.*

GENTLEMEN,

IT is by the advice of His Majesty's Council that I meet You at the Time, to which You were Prorogued, tho' I confess it be a very busy Season. And am now to tell You, That the Committee appointed to Sit in the Recess of the General Court, to Consider of the Report of the Committee, of both Houses, for the Promoting the Produce and Trade of this Province (wherein was Projected the Making, and Emitting the Sum of One Hundred Thousand Pounds, in Bills of Credit,) and prepare and lay before this Court, the Draught of a Bill agreeable thereto, have acquainted Me, That they have Prepared a Bill accordingly, and are ready to lay it before this Court, for their Approbation; which I hope if agreed to, will greatly Tend both to the Support of the Government, and the Encouragement of Trade; therefore I chearfully recommend it to You, being very much inclined to do my Country, all the Service that lyes in my Power.

Gentlemen,

I Hear His Excellency Col. SHUTE *may in a Short time be Expected, and I shall do my Duty to Him, in giving Him as handsome a Reception as this Government is capable of; And take this Opportunity to acknowledge your Regards to Me, in your Recommendation of Me to Him, for my being Continued in my Post.*

Some time since, I received a Letter by the hands of a Norridgawog Indian, *wrote by the Friar of that Place, which was very insulting: And which occasioned Me, to Summon His Majesty's Council; and what was done thereon I shall lay before You, and doubt not but will be to your Acceptance. The time of Year will not Admit of a long Session, Wherefore I should be glad, You would in a few Dayes Conclude what lyes before You, that so You may return Home, to the Ingathering of the Remainder of Your Harvest.* Wm. TAILER.

Boston, August 1. 1716.

A Petition of *Luke Verdy*, Cook, Presented to the House and Read, Praying, That he may be favoured with a Licence to keep a Tavern in the House called the Royal Exchange in *Boston*, which he has Hired for one Year: But the Select-men of the said Town, Refuse to give him a Certificate of Recommendation, for that Imployment, because he is not sufficiently known to them. [30]

A Bill Intituled, *An Act for the Making One Hundred Thousand Pounds in Bills of Credit, and Letting out the same, upon real Security:* Prepared by the Committee of both Houses in the Recess of the Court: Sent down from the Board, not pass'd upon there. Read a first time.

A Petition of the Town of *Dorchester* by *Thomas Tilestone*, *Samuel Paul* and *Hopestill Humphry* Select-men of the said Town: Presented to the House and Read, Praying, That a Surveyor may be appointed to lay out 1000 Acres of Land, granted by the General Court to the said Town, *Anno* 1659. for the use of a Free-School, which has not yet been laid out.

Ordered, That the Prayer of the Petition be Granted to *Dorchester* that then was, when the Grant was made: Provided the said Grant, has not been already laid out. Sent up for Concurrence.

A Message from the Board by *Thomas Fitch* Esq; That this Day being the Anniversary of the happy Accession of His Majesty King *G E O R G E*: His Honour the Lieut. Governour has ordered the Treasurer to provide Wine for this Court to Drink together, which shall be sent in, as soon as the House is ready.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Jovis 2. die Augusti, 1716.

A Bill Intituled, *An Act for the Making One Hundred Thousand Pounds, in Bills of Credit, and Letting out the same upon real Security.* Read a 2d time.

Col. *Winthrop* brought down from the Board a Translation of a Letter to His Honour the Lieut. Governour, from *Vel Rale*, a French Friar, Dated at *Norridgawog* the 8th *July*, 1716. which was Read; and His Honours Letter, to *Samuel Moody*, and *John Watts* Esqrs. Dated *July* 24th. Directing them to go to *Norridgawog*, and make answer to the said Letter, as therein Instructed. Read.

A Message sent up to the Board by Capt. *Noyes*, and Col. *Thaxter*, That His Honours answer is acceptable to the House.

The Petition of *Luke Verdy*, Praying as entred yesterday, further Considered, and pass'd upon as follows, *viz.*

The Petitioner having hired the House most fit and best accommodated for the Entertainment, of this and the other Courts; and being presented as a Person proper and suitable for such an Employment.

Ordered, That he be, and he hereby is Licensed to keep a Tavern, in the said House for the Year next coming. He entring into Recognizance for that end, as the Law directs: Any Law, Usage or Custom to the contrary notwithstanding.

Sent up for Concurrence.

Upon a Motion being made, and the Question being put, *Whether the House will proceed at this time to the further Consideration of the Bill prepared by the Committee of both Houses?* It pass'd in the Negative.

Considering the great Weight and Importance of the Subject Matter of the Bill prepared in the recess of this Court, by a Committee of both Houses: And that the Affairs of the Husbandry are at this time so pressing, that this House can with no Conveniency continue Sitting so long as is needful to Deliberate and Digest the same.

Ordered, That the further Consideration of the said Bill be referred to the Session of this Court, at the next Fall.

Ordered, That a Message be sent up to the Board by Capt. *Noyes*, Mr. *William Denison*, and Capt. *Chambers*, That this House Desire a Day of Publick Thanksgiving to Almighty GOD, may be Appointed and Celebrated throughout this Province, for the Divine Favour signally exprest to His Sacred Majesty King GEORGE and his Dominions, in the happy Success given to His Majesty's just Arms, in a total Subduing the Horrid and Unnatural Rebellion raised by the Pretender and his Adherents in *Great Britain.*

And then the House Adjourn'd till to Morrow Morning Nine Clock. [31]

Veneris 3. die Augusti, 1716.

A Memorial of Mr. Secretary *Woodward*, Presented to the House and Read, shewing, That he had Presented to the Council an Accompt of *l.* 82, 1 6. due to him from the Province, pursuant to an Act, Intituled, *An Act in Addition to an Act, for Regulating Fees;* which they did not consent should be paid, because They apprehended the Services mentioned in his said Accompt were in whole or part paid for, in the Grant of *l.* 90, given to him at the last Session; Praying the House to signifie to the Honourable Council, their true Intent and Meaning in the aforesaid Grant.

Resolved, That the Intent and Meaning of this House in the Grant of *Ninety Pounds* the last Session, to Mr. Secretary *Woodward*, was to give him that Sum, over, and above the Fees allowed to him by the Law, saving that They expected, he should not bring into his Accompt the Posting up of the Books, in the Time between the Death of the late Honourable Secretary, and his own Arrival.

A Petition of *John Keyes*, *Eleazar Taylor*, and *Abraham Eager*, in behalf of the Owners and Possessors of a Tract of Land in *Marlborough*, formerly called *Agoganquamasset*, containing about 5800 Acres, whereon are settled about 30 Families. The *Indian* Title to which Land they purchased, without the Approbation of the General Court, being about the time of Sir *Edmund Androse* his Government. Praying this Court now to Approve their said Purchase, that their Title may be fully Confirm'd.

Ordered, That the said Petition be referred to the next Session, for further Consideration.

The following Vote sent down from the Board. *viz.* In Council.

Voted, That a Publick Thanksgiving be kept throughout this Province, upon Thursday the 23d of *August* Currant, for the Success of His Majesty's Arms, in suppressing the late Horrid and Unnatural Rebellion.

And, that a Proclamation be Issued out accordingly.

Sent down for Concurrence. Read and Concurr'd.

Upon a Motion being made by Mr. *Payne*, That a further Sum is requisite to be Granted for the finishing the Light-House, ordered to be Built at the Entrance of the Harbour of *Boston*.

Resolved, That the Sum of *Four Hundred Pounds*, be further Allowed and Paid out of the Publick Treasury, to the Committee appointed to take care of the Building the said Light-House, for the finishing that work.

Sent up for Concurrence.

A Message from the Board, by *John Clark* Esq; That the House now come up to the Council Chamber, to Attend the Hearing appointed to be this Day upon the Petition of the Reverend Mr. *Nehemiah Walter* Pastor, and *John Payson*, and *John Mayhew* Deacons of the Eldest Church in *Roxbury*, between them on the one part, and the Lessees of the School Lands in the said Town, on the other part.

Mr. Speaker and the House went up, and both Parties being heard, they return'd again to their own Chamber.

3. Post Meridiem.

Addington Davenport Esq; and Mr. Secretary *Woodward*, brought down the Memorial of Mr. Secretary that was pass'd upon in this House in the Forenoon, with the Accompt referr'd to therein, Moving the House to make such Deduction there-from, as they think is proper according to their Vote.

The said Accompt amounting to *l.* 82 1 *s.* 6 *d.* Read. And with the said Memorial sent up by Mr. *Cooke*, Capt. *Noyes*, and Mr. *Parker;* With a Message, That this House think their Vote on the said Memorial so plain, as to need no Explanation. And to Acquaint the Board that this House have no business before them. and are desirous if it may be, that the Court may Rise this Night.

A Message from the Board by *Adam Winthrop* Esq; with Mr. Secretary's Accompt afore-mention, That the Council, Desire the House to Adjust the said Accompt, and make certain the Sum they would have paid upon it.

The said Accompt, sent up again by Mr. *Anthony Stoddard* and Col. *Thaxter*, with a Message that this House, do not see any occasion for to pass further thereon.

Ordered, That the several Petitions, that were at the last Session, Referr'd to this, be further Referr'd to the next Session of this Court. [32]

Andrew Belcher, and *Addington Davenport* Esqrs; Brought down the Petition of Mr. *Nehemiah Walter*, &c. upon which there was a Hearing this Day, with the following Vote Pass'd thereon, *viz.* In Council, *August* 3d. 1716.

In Answer to the Petition, of the Reverend Mr. *Nehemiah Walter* Pastor, and *John Payson*, and *John Mayhew* Deacons of the first Church in *Roxbury*, the present Feoffees in Trust, according to the Will of Mr. *Thomas Bell* of *London*, Merchant, Deceased, and upon a full Hearing of both Parties.

Resolved, That the Lands and Tenements of the said Mr. *Thomas Bell* late of *London*, Merchant, Deceased, in *Roxbury* in *New-England*, Devised by him to Feoffees in Trust, only to and for the Maintenance of a School-Master and a Free-School, for the Teaching and Instructing of Poor Men's Children at *Roxbury*, for ever; and to, and for no other use, intent or purpose whatsoever; being Leased for Five Hundred Years, is contrary to the Law, and Statutes of *England*, where the Testator lived and dyed, when he made his afore-recited Will; and beyond the Power of the Feoffees in Trust in the said Will, and a frustration, in a great Degree, of the Pious Intention of the Donor; and that the full Benefit and Profits of the said Estate, be hence-forward restored, to the Petitioners, to the Uses and Intents aforesaid: Any Lease or Leases made to the contrary notwithstanding.

Provided, That all things being duly weighed what the Estate has been bettered by the Lessees an equitable Allowance therefore shall be made according to Apprizement, of three Persons of Integrity upon Oath.

Sent down for Concurrence. Read and Non-Concurr'd.

Edmund Quincey, and *Adam Winthrop* Esqrs; Brought down a Draught of a Proclamation for a Day of Publick Thanksgiving agreeable to the Votes of the Court. Which was Read, and sent up.

A Message from the Board, That His Honour the Lieut. Governour Desires this House to Attend Him immediately in the Council Chamber.

Mr. Speaker and the House accordingly went up; and His Honour the Lieut. Governour *Prorogu'd* the Court to Wednesday the Ninteenth Day of *September* next, at Ten a Clock in the Forenoon.

BOSTON: Printed & Sold by B. Green. 1716. [33]

JOURNAL

Of the House of

Representatives.

At a Great and General Court or Assembly of His Majesty's Province of the Massachusetts-Bay in New-England, begun & held at Boston, upon Wednesday the 30th Day of May, Anno Domini, 1716. And continued by Prorogations to Wednesday the 7th Day of November next after, and then Met.

A Message to His Excellency the Governour, by *Elisha Cooke* and *Charles Chambers* Esqrs. That a Quorum of the House are now met, and ready to proceed to the business of the Session.

A Message from His Excellency the Governour by *Addington Davenport* Esq; That the House forthwith Attend him in the Council Chamber.

Mr. Speaker, and the House went up accordingly. And His Excellency made a Speech to the Court; and gave a Copy thereof to Mr. Speaker, who with the House, return'd to their own Chamber.

His Excellency's Speech Read, and is as follows: *viz.*

GENTLEMEN,

HIS Majesty having been pleas'd to appoint Me His Governour of New-England; *I am by the good Providence of GOD arriv'd here, with the firmest Resolution to study the true Interests of this Province, and to promote them to the utmost of my Power.*

You have always been distinguish'd by a due Regard to Religion *and* Vertue; *to advance which shall be my first and principal Care, and I desire your Assistance in it.*

It's my Lot to enter upon the Government at a Time when your Commerce (a very Important Article of a Peoples Happiness) is under a great Discouragement by a universal want of Money, which is the Medium of Trade.

I must therefore Recommend it to you, as a Matter worthy your greatest Application, to find out some effectual Measures to supply this Want, and thereby to restore Trade to a flourishing Condition, in which you shall have my best Endeavours and hearty Concurrence.

I hope I shall find no Parties or Divisions amongst you, but that the only Contention shall be, who shall best approve his Loyalty to his KING, and Love to his Country: Such a Harmony will make you very Happy, and me very Easy.

It's a great Honour and Pleasure to me, that I Serve the best of KINGS; and I assure you, His Majesty's just and mild Administration at Home, shall be the Rule of my Government here, as far as I am capable to imitate so great and perfect an Example. It is also my unspeakable Felicity and yours, that I Arrive here, when His Majesty hath entirely defeated the monstrous and unnatural Rebellion, which hath been rais'd in Great Britain: *So that now His Majesty's Person and Government, their Royal Highnesses the Prince and Princess of* Wales, *with the whole Royal Family are secured, and in them the* Protestant Religion, *and the Happiness of us and our Posterity.*

Gentlemen,

His Majesty has Commanded me to Acquaint you, that there is no Province in America, *under the Crown of* Great Britain, *except this, where stated Salarys are not settled upon their Captain General & Governour, and Lieut. Governour. I was also to recommend to you the Building of a House for the Governour; but I am prevented from it, by your having provided a very good One, for which I return you my Thanks.*

I am further to observe to you, that notwithstanding there was an Act Pass'd in England *in Her late Majesty's Reign, for Encouraging the Importation of Naval Stores; and another for the preservation of White and other Pine Trees, growing in Her Majesty's Colonys of* America; *yet nevertheless, His Majesty hath been inform'd, that great Spoils are daily committed in His Woods, in the Province of* Main, *and other parts of the* Massachusetts, *by cutting down and putting to private Use, such Trees as are or maybe proper for His Majesty's Royal Navy. I am therefore Charged to Acquaint you that* [34] [it] *is His Majesty's Will and Pleasure, that the said Acts, and every Clause, Article and Proviso therein, be strictly and duely comply'd with: And if anything further might be done by this Government, to enforce those Acts of Parliament, and to Secure His Majesty's Masts and Timber, I most earnestly Recommend it to your Consideration; as also the Refitting the Fort of* Pemaquid, *or the Building of some Fort near that place, that may be a greater Security to your Frontiers.*

Gentlemen,

You have always been so Conspicuous for your Loyalty, that I make no Doubt of your ready Compliance in these Matters.

Gentlemen of the House of Representatives,

I shall depend on your Care to make the necessary Supplies for the Support and Defence of the Province in all Articles: And give me leave to Conclude, by promising you, That my own private Interest shall never interfere with the Publick, which I hope may engage you to enable me to Maintain that Station with Dignity, which His Majesty has been pleas'd to honour me with.

SAMUEL SHUTE.

Ordered, That the Lists of the Polls and Estates, of the several Towns of the

Province, Directed by an Act of this Court, pass'd at their Sessions begun in *May* last, to be return'd to this House at this Session, be received on Wednesday next, in the Forenoon, and then considered.

3. Post Meridiem.

Mr. *Payne* Presented to the House an Accompt of the charge of the Building of the Light-House, at the Entrance of the Harbour of *Boston*, which was Read, Amounting to the Sum of *l.* 2385 17 *s.* 8 *d.* half peny, whereof *l.* 1900 is paid, and there remains to be paid the Sum of *l.* 485 17 *s.* 8 *d.* half peny.

Ordered, That Mr. *Anthony Stoddard*, Col. *Thaxter*, and Capt. *Gardner*, be a Committee to Examine the said Accompt, and the several Vouchers relating thereto, and make report to the House.

Adam Winthrop Esq; came down from the Board, with Mr. Treasurer *Allen;* and Mr. Treasurer laid before the House an Accompt of the Present State of the Treasury, which was Read.

His Excellency's Speech Read again.

A Message sent up to the Board by *Anthony Stoddard* Esq; Desiring that the Bill, Prepared by a Committee of both Houses, Intituled, *An Act for the Making One Hundred Thousand Pounds in Bills of Credit, and Letting out the same upon Real Security*. May be sent down.

Who Returned with the said Bill.

A Petition of *Edward Bishop*, and *Thomas Knolton*, Praying, That they may be set off from the Ministerial Precinct in *Ipswich* called *Chebacco*, and annexed to the Precinct called the *Hamlet*, for reasons therein alledged.

Sent down from the Board, to be first proceeded on in this House.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Jovis 8. Die Novembris, 1716.

O*Rdered*, That the House now proceed to the Consideration of His Excellency's Speech, Paragraph by Paragraph.

The Paragraph in His Excellency's Speech relating to a Medium of Trade. Read.

A Bill Entituled, *An Act for the Making One Hundred Thousand Pounds in Bills of Credit, and Letting out the same upon Real Security*. Read.

Ordered, That Col. *Thaxter*, Capt. *Noyes*, and Mr. *Parker* be continued a Committee for Petitions.

The Petition of *John Buchanan* &c. Bakers in *Boston*, Praying as entred the 25*th* of *June* last. Read, and Committed.

3. Post Meridiem.

A Letter from *Jeremiah Dummer* Esq; Directed to Mr. Speaker, Dated *Whitehall, July 30th* 1716. Containing an Account of Sundry Services he had lately done for this Province. Read, and sent up.

A Petition of *Arthur Savage* of *Boston* Mariner, Presented to the House and Read, Praying, That he may be enabled to Amend a Mistake in his Reasons of Appeal, from a Judgment of the Inferiour Court of Common Pleas, held in *Boston* for the County of *Suffolk*, to the Superiour Court of Judicature, in a Case between him and *John Oulton* and *Cornelius Waldo*, Merchants, whereby he is barred from any further Tryal in the Law, and stands obliged to pay the Sum of *l* 184. 12 *s*. 3 *d*. farthing, to his great Wrong. And that he may be admitted to Prosecute his Appeal at the Superiour Court, now Sitting in the said Town, to which he Appealed.

Ordered, That the Prayer of the said Petition be Granted.

Sent up for Concurrence. [35]

A Petition of *Benjamin Quiby* of *Amesbury*, Presented to the House and Read; Praying, That the Sum of *Thirty Pounds* may be Paid out of the Publick Treasury, which he Prevail'd with Capt. *Gyles* to pay to Redeem him out of the Hands of the Indians, with whom he had been a Captive Four Years, being Taken when in the Service under Capt. *Lane*, in the last War. Committed.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Veneris 9. Die Novembris, 1716.

A Memorial of Capt. *Cyprian Southack*, Presented to the House & Read, Shewing, That he has drawn a Chart of this Coast from *New-York*, to *Quebeck*, and proposing, That it may be cut in a Plate, at the Publick Charge, for the Service of the Navigation, and when so many Copies are taken off, as the Government pleases, that the Plate may be given to him. Committed to the Committee for Petitions.

Upon a Motion being made, and the Question being put, *Whether the Bill Entituled, An Act for the Making One Hundred Thousand Pounds in Bills of Credit, and letting out the same upon Real Security, shall be Read, and Debated Paragraph by Paragraph?* It Pass'd in the Negative.

And the Question being put, *Whether the said Bill shall have a 2d Reading?*

It Pass'd in the Negative.

Upon a Motion being Made,

Ordered, That a Message be sent up to the Board, Desiring, That the Petition of the Reverend Mr. *Nehemiah Walter* Pastor, *John Payson*, and *John Mayo* Deacons, of the first Church in *Roxbury*, which was before this Court at their last Sessions, may be sent down.

Capt. *Noyes*, and Capt. *Chambers* were sent up with the Message, and Returned with the said Petition.

Ordered, That the said Petition be Reconsidered.

The said Petition Read. And the following Vote Pass'd thereon, *viz.*

A Motion being made, That this Petition be Revived and Reconsidered.

Ordered, That a Rehearing be had thereon upon the 22*d* of *November* Currant. And that the Petitioners Notify the Adverse Party of this Order.

Sent up for Concurrence.

Ordered, That *John Stoddard*, Esq; Mr. *Thomas Turner*, *Daniel Parker*, Esq; Mr. *Daniel Rogers*, *John Rogers* Esq; *William Pain* Esq; and Mr. *John Ward*, with such as the Honourable Board shall Appoint, be a Committee to Consider that Paragraph in His Excellency's Speech, which relates to a Medium of Trade, and Report what they think proper to be done by this Court thereon.

Sent up for Concurrence.

The Petition of *Edward Bishop* and *Thomas Knolton*, Praying as entred the 7*th* Currant. Read.

A Petition of *Nathanael Goodhue* and *Thomas Choate*, in behalf of the Precinct of *Chebacco* in *Ipswich*, Presented to the House and Read; Praying, That their Bounds may be Confirmed and Set off by the Town of *Ipswich;* or that Col. *Higginson*, Capt. *John Gardner*, and Mr. *Samuel Belch* may be Impowered to Arbitrate their Differences, or that they may have another Hearing before this Court.

Ordered, That the Prayer of the Petition be so far Granted, that the Honourable *John Higginson* Esq; Capt. *John Gardner*, and Mr. *Samuel Belch*, be a Committee to go upon the Place, Hear and Consider the Differences between the Two Precincts, and make Report to this Court, how they Apprehend they ought to be Issued and Settled.

And to Consider the Petition of *Edward Bishop* and *Thomas Knolton*, and Report what they think most Convenient to be done in Answer thereto.

Sent up for Concurrence.

A Message from the Board by *John Appleton* Esq; That His Excellency and Council have Appointed the first *Thursday* in *December*, to be Celebrated as a Day of Publick *Thanksgiving* to Almighty GOD, throughout this Province, unless this House have any thing to Object against that Time.

A Message to the Board by Col. *Goffe*, That it is very Acceptable to this House.

A Message from the Board by *Eliakim Hutchinson*, *Isaac Winslow*, and *Thomas Fitch* Esqrs, with a Petition of *Nehemiah Walter* Pastor, and *John Payson* and *John Mayo* Deacons, of the first Church in *Roxbury*, Praying, That this Court would Reassume their Case as Feoffees of the School in *Roxbury*, in behalf of that School, which was before the Court at the last Session, and Relieve them; which they intimated was Pass'd upon at the Board this Session, before the Vote of the

House relating to the said School was sent up. *viz. Nov. 7th. Voted*, That the Petition be Dismist, for that the Subject Matter thereof is cognizable at the Common Law. [36]

A Message sent up to the Board by Capt. *Noyes*, and Col. *Goffe*, That this House don't Apprehend how the Petitioners have their Remedy at the Common Law, otherwise should not have Voted another hearing.

3. Post Meridiem.

A Petition of *William Brown*, Son of a Freeman, by a Servant Woman, and has been Sold as a Slave, and is at present owned by Mr. *Andrew Boardman*, shewing that his said Master will set him at Liberty, and make him Free, if this Court will indemnify him from the Law relating to the Manumission of Negroes, as to maintaining of him in case of Age, Disability, &c. Praying the Court to indemnify him.

A Petition of *John Brigham*, and 30 others presented to the House and Read, Praying, That the ungranted Lands lying between the Towns of *Lancaster*, *Sutton*, *Marlborough*, *Worcester*, *Hassanamisco*, and *Brigham's* Farm, to the quantity of Seven Miles Square, may be Erected into a Township, and Given or Sold to them. Committed.

A Petition of *Isaac Amsden*, and 66 others, Inhabitants of the Westerly Part of *Marlborough*, Presented to the House and Read, Praying, That the said Part of the Town, with some adjoining ungranted and Farm Lands, not yet in any Township, may be Erected into a Township or (if that be not thought proper) a Precinct for the Maintenance of the Ministry.

And a Petition of several Inhabitants of the said Farms, Read, praying that the aforesaid Petition may be Granted. Committed.

A Petition of *Seth Pope*, and 8 others of the Church at *Dartmouth*, Presented to the House and Read, praying assistance towards the Maintenance of their Minister.

Resolved, That the Sum of *Twenty Pounds*, be allowed and paid out of the Publick Treasury, to the Reverend Mr. *Samuel Hunt*, Minister of the Town of *Dartmouth*, towards his Support for the Year Currant. Sent up for Concurrence.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Sabbati 10. Die Novembris, 1716.

O*Rdered*, That the Thanks of this House be Returned to His Excellency the Governour for the good Assurances he has given to this Court in his Speech, to study the true Interest of this Province, and to advance *Religion* and *Vertue*, which this House shall alwayes be ready to join their utmost assistance to pro-

mote. Sent up by *Anthony Stoddard*, *John Stoddard*, *Samuel Thaxter*, *Daniel Parker*, and *Charles Chambers*, Esqrs; Capt. *Gardner*, and *John Denison*, Esq;

The Petition of *William Brown*, praying as entred yesterday, further considered, and the following Vote passed thereon, *viz.*

Inasmuch as the Petitioner, is a Young able-bodied Man, and it cannot be supposed, that he is Manumitted, by his Master, to avoid Charge in supporting him.

Ordered, That the Prayer of the Petitioner be Granted. And that the Petitioner be Deemed Free, when set at Liberty by his Master, although no security be given to indemnify the Town, where he dwells from Charge by him, and in case the Petitioner shall hereafter want Support, his said Master shall not be obliged to be at the charge thereof. Any Law, Usage or Custom to the contrary notwithstanding. Sent up for Concurrence.

A Petition of *Daniel Lincoln*, and Twenty others of that part of *Hingham*, called *Cohasset*, or little *Hingham*. Praying, That a Committee may be sent to view their Lands and Dwellings in order to their having a Precinct set off to them.

Sent down from the Board, pass'd on there, *viz.* in Council, *November* 8. 1716.

Ordered, That the Petitioners serve the Town of *Hingham* with a Copy of this Petition, that they may be heard before this Court, on Tuesday the Twentieth Currant, if they have ought to object why the prayer thereof should not be Granted. Sent down for Concurrence. Read and Concurr'd.

Ordered, That Capt. *Moses Reed*, and *Josiah Chapin* Esq; be Monitors of this House, to take care that the Orders of this House be duly observed.

A Petition of *Joseph Bucklen* & *Henry Smith* of the Town of *Rehoboth*, presented to the House and Read, praying that they may be paid for making of 180 Rods of Fence which is occasioned by a Country Road being laid through their Land, to pass over the new Bridge at *Pautucket-Falls*.

And the Question being put, *Whether any thing be granted on the said Petition?*

It pass'd in the Negative.

And then the House Adjourn'd till Monday next Three a Clock in the afternoon.

BOSTON: Printed & Sold by B. Green. 1716. [37]

Province of the Massachusetts-Bay.

VOTES of the House of Representatives.

Lunæ 12. Die Novembris, 1716.

A Bill Entitled, *An Act in Addition to the Act for Regulating Fees.* Read a first time.

A Petition of *Cyprian Whipple* and *Dorothy* his Wife, in behalf of themselves and *Elizabeth Allyn*, Administrators to the Estate of *William Simons*, the Son and Heir of *Samuel Simons*, heretofore of *Ipswich*, Deceas'd. Presented to the House and Read; Praying, that a Committee may be appointed by this Court, to lay out Eight Hundred Acres of Land, Granted to the said *Samuel Simons*, *May 22d*, 1661. between the Towns of *Lancaster* and *Rutland*. Sent down from the Board, not Pass'd on there. Read.

A Petition of *Nathanael Fadre* of Boston, Mariner; Praying Consideration for his being taken three times, out of Vessels that he Commanded, by the Government, to Serve as Pilot of the Station Man of War, for about Nine Months in the whole; and has been paid but *l.* 3. 17. 6.*d. per* Month, whereas he was to have had *l.* 5 *per* Month as Master, and has now lost his Employment; Praying further Pay to be Granted to him: And that he may be either constantly held in Pay in the Station Ship, or be no more obliged to Serve as Pilot.

Sent down from the Board. Read.

The Treasurers Accompt of the Charge of His Excellency the Governour, and Gentlemen that Attended him in Visiting the principal Towns of this Province, and particularly the Province of *Main*, amounting to the Sum of *l.* 81 18 *s.*

Read, and

Resolved, That the foregoing Accompt, amounting to the Sum of *l.* 81. 18 *s.* be allowed in the Treasurers Accompts at this time: But that for the future, it be not Improved as a Precedent (by giving a different Face to an Accompt) for the paying any Charge of His Excellency the Governour, his going to Visit his other Government of *New-Hampshire*, this House having formerly Voted the paying of that Charge out of the Treasury of this Province to be a Grievance.

Sent up for Concurrence.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Martis 13. Die Novembris, 1716. A. M.

AN Accompt of the Committee of both Houses that was Appointed by this Court, to take care of the Reception of his Excellency the Governour, amounting to the Sum of *l.* 36. 4 *s.* Presented to the House for Allowance.

Read, and

Resolved, That the Sum of *Thirty-six Pounds* and *Four Shillings*, be allowed

and paid out of the Publick Treasury to Mr. *William Payne*, to Discharge the said Accompt. Sent up for Concurrence.

A Bill Entituled, *An Act in Addition to the Act for Regulating Fees.* Read a 2*d* time, and Debated Paragraph by Paragraph.

And the Question being put, *Whether the Bill be Read a* 3d *time?*

It Pass'd in the Negative.

A Report, Signed by *Addington Davenport, Thomas Hutchinson, Adam Winthrop, Oliver Noyes, Elisha Cooke, William Payne, Antony Stoddard, Charles Chambers*, and *Jonathan Dowes*, the Committee Appointed by this Court in the Recess thereof, to receive of the Treasurer, Bundle up and Burn, Torn and Defac'd Bills of Credit on this Province, Dated the 25*th* Day of *September*, 1716. Shewing, That they had then received, and Burnt to Ashes, the Sum of *l.* 9000 neat Province Bills, which Compleats the Sum of *l.* 40000 that were put into the Treasury by Order of the General Assembly, at their Session in *May*, 1714 to Exchange for Torn and Defac'd Bills, and such Denominations of Bills as were called in, because they were Counterfeited. Read, and

Ordered, That the said Report be Accepted; and that the Treasurer be Discharged of the Sum of *Nine Thousand Pounds.* Sent up for Concurrence.

A Petition of *Jonathan Head*, and *Benjamin Head*, of *Little Compton*: Presented to the House and Read; Praying, That they may have the Favour of the Benefit, which this Court intended them by their Order on their Petition, Pass'd the 22*d* of *June* last, which they are Deprived of by reason the Scribe who Drew their said Petition, [38] mistook in the reciting some Circumstances of their Actions. Praying that they may be enabled to Amend such Mistakes, and have a Tryal of their Actions at the next Superiour Court of Judicature to be holden at *Bristol.*

Ordered, That the Prayer of the Petition be Granted. Sent up for Concurrence.

The Memorial of the Reverend Ministers of this Province, Proposing as entred the 21*st* Day of *June* last. Read, and Committed to the Committee for Petitions.

Upon a Motion being made,

Ordered, That Mr. *Cooke*, Mr. *William Denison*, Mr. *Thomas*, Mr. *Upham*, and Mr. *Moodey*, be a Committee to prepare a Bill, *For the more effectual Observation and Keeping of the Lords Day.*

A Petition of *Nathanael Collins*, Minister of the Town of *Enfield:* Presented to the House and Read; Praying, That the Province Tax of the said Town, or such Part thereof as this Court shall think proper, may be Ordered to his Support, in Consideration of the Inability of the said Town to Maintain him.

Ordered, That this House proceed to the Consideration of the Affair of the Agency, on *Thursday* next in the Afternoon.

A Petition of *John Punker* Indian, Inhabitant of the Island of *Nantucket*, in behalf of himself, and the other Indians of the said Island: Presented to the House and Read; Complaining of great Injustice and Oppression they suffer from some

of their *English* Neighbours; Praying this Court to Appoint them a Guardian: And that the said Island may no longer remain a County by it self, but be annexed to some other County.

Ordered, That the Petitioners serve the Inhabitants of *Nantucket* with a Copy of this Petition, that they may be heard before this Court, on the *2d Friday* of the Sessions in *May* next, in Answer to the Complaints therein: And to shew Reason (if any they have) why the Prayer of the Petition should not be Granted.

And *Peter Thatcher* Esq; and Mr. *Benjamin Hawes*, are Desired and Appointed to go to the said Island, and enquire into the Matters of Grievance Complained of; and more especially their Whaling: And Assist the Indians in making a proper Representation thereof to this Court. Sent up for Concurrence.

A Message from the Board by *Nathanael Byfield*, *Andrew Belcher*, *Thomas Fitch* & *Adam Winthrop*, Esqrs; That there is a Parenthesis in the Vote of this House on the Accompt of Mr. Treasurer *Allen*, of the charge of His Excellency's late Journey Eastward, which the Board think carries some Reflection in it, *viz.* [*by giving a different Face to an Accompt*] which they mov'd the House to withdraw out of their Vote, for reasons they offered, and left the said Accompt and Vote.

A Petition of *Stephen Peas* of *Nantucket*, presented to the House and Read, Complaining, That he was Rated the last Year, the Sum of *l.* 3. 12 *s.* more than by Law, he ought to have been, by the Assessors of the said Place: And upon Application made to the Justices of the General Sessions of the Peace for Remedy as the Law directs, could obtain none, Praying this Court to Relieve him.

Ordered, That a Hearing be Granted on this Petition, on the 2 d Fryday of the Sessions of this Court in *May* next. That the Petitioner Serve the Assessors of *Nantucket* with a Copy thereof; who are hereby Directed to Attend this Court at the said time, with an Attested List of the Assessment, referr'd to in the Petition.

Sent up for Concurrence.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Mercurii 14. Die Novembris, 1716. A. M.

THe House according to the Order of the Day, Proceeded to receive in the Lists of the Polls, and Estates, of the several Towns, and to Read and Consider them.

The Petition of *John Punker*, on which this House Pass'd a Vote Yesterday: Sent down from the Board, Pass'd on there, *viz.* In Council, *Novemb.* 14th. Read, and Concurr'd, and Mr. *Experience Mayhew*, is appointed with the other Persons above-named, to inquire into the Affair aforesaid.

Sent down for Concurrence. Read and Agreed.

3. Post Meridiem.

The House Proceeded further to Examine and Consider, the Lists of the Polls and Estates of the several Towns.

A Message from the Board by the Deputy Secretary, That this Day was appointed for a Hearing on the Petition of *Daniel Bartlet;* But the Day being far spent, They Propose to have the Hearing to Morrow in the forenoon:

Which was Agreed to by the House, and a Message sent up accordingly by *Antony Stoddard*, Esq;

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

BOSTON: Printed & Sold by B. Green. 1716. [39]

Province of the Massachusetts-Bay.

VOTES

of the House of Representatives.

Jovis 15. Die Novembris, 1716.

THe House proceeded further to Examine and Consider the Lists of Polls and Estates in the several Towns, and pass'd through the whole.

Ordered, That Mr. *Payne*, Mr. *William Denison*, Col. *Somersby*, Capt. *Gardner*, Capt. *Chambers*, Mr. *Wilson*, Major *Stoddard*, Mr. *Little*, Mr. *Parker*, Capt. *Southworth*, and Mr. *Hammond*, be a Committee further to Examine, and duly Compare and Consider the said Lists, and Report what Sum they apprehend each Towns Proportion ought to be, to the Sum of *l.* 1000. That any Member may have Recourse to them from time to time, for their Information.

A Memorial of *John Minot*, with several other Papers, exhibiting an Account of the Behaviour and Disposition of the Eastern Indians. Sent down from the Board, Pass'd on there, *viz.* In Council, *Novemb.* 15*th.* 1716.

Upon Reading the several Papers relating to the Eastern Indians.

Voted, That inasmuch as Providence seems now to give us a more favourable Opportunity than heretofore, of offering to Instruct the Eastern Indians, in Religion and Learning, which has been one professed Intention of our Ancestors, Settling in this Land, and is the surest way to fix them in our Interest.

That it be earnestly Recommended to the House, to Project a Method for effecting the same.

Ordered, That *Oliver Noyes*, and *John Stoddard* Esqrs, and Mr. *Joseph Hammond*, with such as the Honourable Board shall Nominate, be a Committee to Consider and Propose such Method, as they think will best advance, the good Design above mentioned. Sent up for Concurrence.

Voted, That the House think it needful to have an Agent, to Negotiate the Affairs of this Province, in the Court of *Great Britain.*

Ordered, That a Message be sent up to the Board, That the House Propose to proceed to the Choice of an Agent, to Negotiate the Affairs of this Province, in the Court of *Great Britain*, to Morrow at Eleven a Clock; and desire the Board to join with them in it. Sent up by Mr. *Cooke*, and Col. *Thaxter.*

A Memorial of *Thomas Hutchinson*, *Adam Winthrop*, *Oliver Noyes*, *John Ruck*, *Stephen Minot*, *John Watts*, *John Penhallow*, *John Minot*, and *Edmund Mountford*, Proprietors of Lands at *Brunswick*, *Topsham*, &c. in the County of *York:* Presented to the House and Read; Shewing, That they have begun a Settlement at Small Point Harbour, lying upon *Casco Bay;* and that they have Disburst upwards of *l.* 200, more than the *l.* 500 Granted them to Build the Fort

of *Brunswick;* Praying, That the said Sum, with what more this Court shall think fit, may be Granted to them, and 12 or 15 Soldiers at the Publick Charge, to cover the said Settlement for a short time, and they will at their own Charge Erect a Stone Fortress, for the Security of the Inhabitants there.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Veneris 16. Die Novembris, 1716.

THE Petition of *John Keyes, Eleazar Taylor,* and *Abraham Eager:* Praying as entred *August 3d.* 1716. Read again, and

Inasmuch as the General Court by their Vote Pass'd June 19th. 1658. *Directed, that the English Plantation, since called* Marlborough, *should have the Tender of the Lands mentioned in the Petition, when they should allow the Indians to Sell them.*

Ordered, That the Prayer of the Petition be Granted; and the Purchase the Petitioners and their Predecessors have made of the said Lands from the Indians, be not Annulled, or Invalidated, by reason of their not having the Consent of the General Court but the said Purchase is hereby Allowed, Approved and Confirmed. Sent up for Concurrence. [40]

A Message from the Board by *John Cushing,* and *Thomas Noyes,* Esqrs. That they Agree to join with the House in the Choice of an Agent.

The Message from the Board, That the House would withdraw a Parenthesis in the Vote of this House, upon an Accompt of Mr. Treasurer *Allen,* &c. Entred the 13th Currant further Considered, and the following Vote Pass'd thereon, *viz.*

Whereas on Monday the 12th *Instant, Mr. Treasurer* Allen *laid before this House an Accompt, said to be of Money Expended for the Entertainment of His Excellency, and the Gentlemen that Attended him on his Journey Eastward, to Visit the Principal Towns within this Province, particularly the Province of* Main, *pursuant to Warrant, Dated the* 12th *of* October, 1716. *Which Accompt was Read, and Payment Ordered, and sent up for Concurrence; and there being a Parenthesis in the said Vote, which the Honourable Board thought carried some Reflection in it; and therefore moved the House to withdraw the same out of their Vote.* Upon Consideration whereof:

Resolved, That the Sum of *l.* 81 18 *s.* be allowed in the Treasurers Accompt at this time; although it appears by Inspection of the Votes, and Orders of Council relating to that Affair, that that Journey was performed, principally for His Excellency the Governour's Visiting his other Government of the Province of *New-Hampshire;* but that this Allowance be not improved for the Future as a Precedent. Sent up for Concurrence.

A Petition of *Hugh Pike,* Creepled by a Wound that he received in the Service formerly, against the Indian Enemy, and his Wound still open, whereby he is disabled from Labour, to Support himself and Family. Presented to the House; Praying Relief.

Resolved, That the Sum of *Fifteen Pounds*, be allowed, and paid out of the Publick Treasury to *Hugh Pike* the Petitioner, for his Relief.

Sent up for Concurrence.

A Message sent up to the Board by *Antony Stoddard*, Esq; That pursuant to the Order of the Day, the House is now proceeding to prepare their Votes for an Agent.

The Votes of the House being Collected.

Ordered, That Capt. *Parker*, Capt. *Chambers*, and Col. *Basset*, carry up the said Votes to the Board, and Assist in Sorting and Numbering them, and Report the Choice to the House.

Who attended the Order of the House; And Reported, That *Jeremiah Dummer*, Esq; was Chosen by a major Part of the Voters.

The Memorial of the Reverend Ministers, Committed the 13*th* Currant, further Considered, and the Report of the Committee thereon, which was accepted by the House, and is as follows, *viz.* That an Act be drawn, Directing and Impowering the Justices, Ministers and Deacons, with the Select-men, or Overseers of the Poor, where such are, of each Town respectively, to visit the Poor of the several Towns once a Year, and take effectual Care, that the Children and Servants be duly Initiated and Instructed in Christian Knowledge, and in Reading the Word of GOD; that in order thereunto, such Poor Families be furnished with Bibles and Catechisms, out of the Town Treasury, if they are not able to procure them themselves.

Ordered, That a Bill be Drawn pursuant to the said Report, by the Committee appointed to Draw a Bill for the better Observation of the Lord's Day.

The Petition of *John Keyes*, &c. Pass'd upon in this House this Day. Sent down from the Board, Pass'd on there, *viz.* In Council, *November* 16 1716. Read and Concurr'd: Provided, That this Grant do not interfere with any former Grant of this Court. Sent down for Concurrence. Read and Concurr'd.

The Petition of *Benjamin Quinby*, Praying as entred the 8th Currant further Considered, and the Report of the Committee thereon, which was accepted by the House, and accordingly a Vote pass'd, *viz.* In Consideration of the Distressing Circumstances of the Petitioner.

Resolved, That the Sum of *Twenty Pounds* be Allowed, and Paid out of the Publick Treasury to Capt. *Henry True*, for the use of the said *Quinby*.

Sent up for Concurrence.

The Petition of *Nathanael Fadre*, Praying as entred the 12th Currant further Considered, and the Report of the Committee thereon, which was accepted by the House, and accordingly,

Resolved, That the Sum of *Ten Pounds*, *Two Shillings* & *Six Pence*, be Allowed and Paid out of the Publick Treasury, in full for the Loss he has sustained in the Publick Service. Sent up for Concurrence.

The Memorial of *Cyprian Southack*, Praying as entred the 9th Currant further Considered, and the Report of the Committee thereon, which was accepted by the House, and accordingly,

Ordered, That the Prayer of the Memorial be Granted; And *William Payne* Esq; is Desired to take care to have the Plate engraven, and to have a Copy Taken thereof for each Member of the present Court, and then to Deliver the Plate to Capt. *Southack* the Memorialist for his own use.

Sent up for Concurrence. [41]

A Plat of One Hundred Acres of Land, Presented to the House, by *John Francis* for Confirmation, taken, pursuant to a Vote of this Court, pass'd the 15th *June* last, by *David Haynes* Surveyor.

Resolved, That the Land Delineated and Described in the said Plat, being One Hundred Acres, be Granted, and Confirmed, to the said *John Francis*, his Heirs, and Assigns for ever, to fulfil the Grant made to him the 15th *October*, 1679. Provided, It Interfere with no former Grant. Sent up for Concurrence.

The Petition of *Thomas Hutchinson*, Esq; &c. Praying as Entered Yesterday. Read again and Rejected.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Sabbati 17. Die Novembris, 1716.

THe Memorial of *Cyprian Southack*, on which this House pass'd a Vote Yesterday. Sent down from the Board, pass'd on there, *viz.* In Council, *Novemb.* 16 1716. Read and Concurr'd: Provided that the Number of One Hundred and Fifty of the said Charts be Reserved, for the use of this Court.

Sent down for Concurrence. Read and Concurr'd.

The Committee Appointed to Examine the Accompts of the Charge of the Building the Light-house, at the Entrance of the Harbour of *Boston*, Made their Report thereon, *viz.* We the Subscribers have Examin'd the Accompts herewith, and have seen sufficient Vouchers to the Articles in them, and find them right cast.

Anthony Stoddard,
Jonathan Dows,
John Gardner.

Resolved, That the said Accompts be Allowed, and the Ballance due thereon, *viz. l.* 485. 17 *s.* 8*d.* be Allowed & Paid out of the Publick Treasury to Mr. *William Payne*, to Discharge the same. Sent up for Concurrence.

A Petition of *Joseph Auger*, *John Parmeter*, *Josiah Wood*, and *Thomas Wood* of *Framingham*, Presented to the House and Read; Shewing, That upon the Complaint of *Enoch Cleverland* of the said Town, made to Mr. Justice *How* of *Marlborough*, they were unjustly Sentenc'd as Guilty of Feloniously Taking, and

Carrying away Corn, &c. And the said Justice *How*, when they Demanded an Appeal to the Court of General Sessions in the County, Refused to grant it to them, Praying this Court to relief them, and Order that an Appeal be granted them to the next Court of General Sessions of the Peace in the County of *Middlesex*.

An Answer of Mr. Justice *How* to the said Petition. Read,

Ordered, That a Hearing be Granted on the said Petition, on Fryday next in the Afternoon; the Petitioners to Serve Mr. Justice *How* with a Copy of this their Petition, and notify him then to Attend this Court. Sent up for Concurrence.

A Petition of *John How* of *Framingham:* Presented to the House and Read; Shewing, That he had been unreasonably Prosecuted, to his great Cost and Charge, by *Savil Simpson*, on Pretence of Damage, by his Mill-Pond, as is particularly set forth in the Petition. Praying Relief.

Ordered, That the Petitioner serve *Savil Simpson*, the Adverse Party, with a Copy of this Petition, that he may be heard before this Court on Fryday next in the Afternoon, if he has ought to Alledge why the Prayer thereof should not be Granted. Sent up for Concurrence.

A Petition of *Joseph Buckminster*, Representative of *Framingham*, in behalf of the said Town: Presented to the House and Read; Praying, That a Tract of Wilderness Land, lying within the Bounds of *Hopkinston*, which they formerly Petitioned for and platted, may be Granted or Sold to them, for the Conveniency of Settling their Children near them; And they are content the Land shall continue under the Jurisdiction of *Hopkinston*.

A Message from the Board by *John Clark*, Esq; That the Times that have been appointed for a Hearing upon *Daniel Bartlet*'s Petition, are Laps'd; and they propose the Hearing thereon may be attended on Tuesday next in the Afternoon.

And then the House Adjourn'd till Tuesday next Nine a Clock in the Forenoon.

BOSTON: Printed & Sold by B. Green. 1716. [42 *blank*, 43]

Province of the Massachusetts-Bay.

VOTES

of the House of Representatives.

Martis 20. Die Novembris, 1716.

A Petition of *John Hawkes* of *Deerfield:* Presented to the House and Read; Shewing, That he hath been much Improved, and Wounded Twelve times in the Wars against the Indian Enemy, and now being advanced in Years, is reduc'd to Indigent Circumstances. Praying Relief.

And the Question being put, *Whether any Sum be Granted in Answer to the said Petition?* It Pass'd in the Negative.

A Report of *John Wheelright*, *Lewis Bane*, and *Abraham Prebble*, a Committee Appointed *June 5th* last, to state a dividing Line between the Towns of *Kittery* and *Berwick*, and to Consider of and Report the most suitable Place, for the Setting the Meeting House in the upper Parish in *Kittery*. Read and Accepted.

Sent up for Concurrence.

Ordered, That *Elisha Cooke*, *Daniel Parker*, and *John Stoddard* Esqrs; with such as the Honourable Board shall joyn, be a Committee to Prepare a Draught of a Commission, and Instructions for Mr. Agent *Dummer*, and lay them before this Court. Sent up for Concurrence.

The Petition of *Nathanael Collins*, Praying as entred the *13th* Currant.

Read again.

And the Question being put, *Whether any Sum be Granted in Answer to the said Petition?* It Pass'd in the Negative.

An Account of *Samuel Partridge* Esq; of *Two Pounds* & *Twelve Shillings*, which he paid to some *Albany* Indians, to satisfy them for the Damage they sustain'd by some English Men's Firing upon them in the late War, taking them to be Enemys. Desiring he may be Reimburst.

Resolved, That the said Sum of *Two Pounds* and *Twelve Shillings*, be allowed and paid out of the Publick Treasury to Mr. *John Partridge*, to Repay the above-mention'd Sum. Sent up for Concurrence.

A Petition of *John Simmons*, *Jonathan Dodson*, and Thirty-two others, of the Town of *Freetown:* Presented to the House and Read; Praying, that the Bounty of this Court towards the Maintenance of their Minister may be continued, and some Assistance given to their Minister in the Building his House.

Committed.

Complaint being made to the House, That Mr. *Robert Durfey*, Representative of the Town of *Freetown*, seldom Attends the Publick Worship of GOD, but obstructs the Settlement of an Orthodox Minister in the said Town; And has since

the last Sessions of this Court, been Presented, Convicted and Fined, for Profanation of the Lord's Day; and has taken his Name from the last mentioned Petition, after he had Sign'd it.

Opportunity was given to Mr. *Durfey*, and he made his Defence. And then was Directed to withdraw; which he did. Upon Consideration of what is Alledg'd.

Ordered, That the said Mr. *Durfey* be Expell'd this House.

He was sent for into the House, but was not to be found.

A Bill Entituled, *An Act, in Addition to the Act for the orderly Consummating of Marriages.* Read.

A Report of the Committee Appointed the 11*th* of *June* last, to Investigate a suitable Place for the Erecting a Hospital for Infectious Persons, with Minutes of an Act for that purpose. Sent down from the Board; having been Read there. Read.

A Report of the Committee of both Houses, that were Appointed to Consider that Paragraph in His Excellency's Speech, which relates to a Medium of Trade. Sent down from the Board; having been Read there. Read. [44]

3. Post Meridiem.

A Petition of *William Sawyer*, Representative of the Town of *Wells*, in behalf of the said Town: Presented to the House and Read; Shewing, That the Bounds of the Town of *Kittery* are so Settled, as to take in about 4000 Acres of the Land belonging to the Town of *Wells*. Praying this Court to Grant them Relief; and in the mean time to Order, that no Timber be cut or carried off the said Land in Controversy. In Answer to the said Petition.

Ordered, That *Abraham Prebble* Esq; Capt. *Lewis Bane*, and Mr. *Samuel Cane*, be a Committee to go upon the Land in Controversy, and View and Discover, how the Divisional Line between the Towns of *Kittery* and *Wells*, ought to be Settled; and make Report to this Court as speedily as may be.

That in the mean time, no Timber be cut off the said Land. The Town of *Wells* to bear the Charge of the Committee. Sent up for Concurrence.

The Petition of *Joseph Buckminster;* Praying as entred the 17*th* Currant.

Further Considered, and

Upon a Motion of Mr. President *Leverett*,

Ordered, That the Trustees of the Bounty or Charity of *Edward Hopkins* Esq; Deceas'd, be Heard upon the said Petition before this House, on Tuesday next in the Forenoon.

The Report of the Committee of both Houses, Appointed the 15*th* Currant, to Consider of a Method to bring forward the Instruction of the Eastern Indians, in Religion and Learning. Sent down from the Board, Entred thereon, Read and Recommended. Read.

A Message from the Board, That the House now come up, to attend the Hearing upon the Petition of that Part of *Hingham* called *Cohasset*, and upon the Petition of *Daniel Bartlet*.

Mr. Speaker and the House went up accordingly, and both Parties were heard upon the former Petition; but one of the Parties to the latter not being present, the Hearing was further Deferr'd.

And the House returned to their own Chamber.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Mercurii 21. Die Novembris, 1716.

A Petition of Serjeant *Daniel Tucker*: Presented to the House and Read; Shewing, That he was Shot through the Body, in an Engagement with the Indian Enemy in the late War, and his Wound still Uncured, by which he suffers great Pain, and is disabled to Labour for his Livelyhood. Praying the compassionate Relief of this Court.

Resolved, That the Sum of *Twenty Pounds* be allowed and paid out of the Publick Treasury, to *Daniel Tucker* the Petitioner, for his present Relief.

Sent up for Concurrence.

A Bill Entituled, *An Act, in Addition to an Act for the orderly Consummating of Marriages.* Read a 2*d* Time.

A Bill Entituled, *An Act, in Addition to the Act for the better Observation, and Keeping the Lords Day.* Read a 1*st* Time.

A Bill Entituled, *An Act for the more effectual Preventing Default in the Appearance of Jurors.* Read a 1*st* Time.

Upon a Motion being made,

Ordered, That Col. *Basset*, Mr. *Turner*, and Mr. *Thomas*, be a Committee to Consider the Laws for Stating of Fees, and Report what Explanation they think needful to be made thereon.

A Petition of *John Charnock*, Administrator *de Bonis non*, of *Ralph King*, late of *Lyn*, Deceas'd: Presented to the House and Read; Praying, That a certain Farm which the said *King* died Seized of in *Lyn* (but is since Sold) together with the rest of the Estate of the said *King*, may be subjected to his Administration, for Reasons Alledged. Read and Sent up.

The Report of the Committee of both Houses, Appointed to Consider that Paragraph of His Excellency's Speech, which relates to a Medium of Trade. Read again.

Upon a Motion being made.

Ordered, That *Oliver Noyes*, *Antony Stoddard*, and *John Stoddard* Esqrs; with such as the Honourable Board shall appoint be a Committee to consider of a Method, for the Retrieving and Maintaining the value of the Bills of Publick

Credit on this Province, equal to the Lawful Money of the Province, and make Report to the Court. Sent up for Concurrence. [45]

A Petition of the Select-men of the Town of *Mendon*, presented to the House and Read, Praying that effectual care may be taken for the setling the Line between this Province, and the Colony of *Rhode-Island*.

Ordered, That *Samuel Thaxter* Esq; Capt. *Jacob Tompson*, and *John Chandler* Esq; be a Committee to joyn with such as the Government of *Rhode-Island* shall impower, to proceed in, and perfect the running and setling the Line between this Province and the said Colony, pursuant to the Agreement lately made for that end, by Commissioners of both Governments, and His Excellency the Governour is requested to write pressingly, to that Government, to impower and send Persons to issue the said Affair, as soon as possible.

But if the Government of *Rhode-Island* continue to neglect for the space of Five Months to join in the Affair; That the said Committee of this Government, be directed to proceed and issue it, according to the said Agreement.

Sent up for Concurrence.

Ordered, That a Message be sent up to the Board, That this House having certain Information that the Government of *Connecticut* have laid a heavy Duty, next to a Prohibition upon Staves for Cask, that are Transported from that to this Government, which we esteem very unneighbourly, and tending to interrupt the good Correspondence between the Governments.

Therefore Requests His Excellency the Governour to move His Honour Governour *Saltonstall* to use his Interest with that his Government, to take off the said Duty. Sent up by Capt. *Noyes*, Mr. *Parker*, and Mr. *Thomas*.

3. Post Meridiem.

A Petition of *Rebeckah Freeman*, Executrix to the last Will and Testament of *Thomas Freeman*, her late Husband, and *John*, *Judah*, *Joseph* and *Eleazer Rogers*, Proprietors in common of a parcel of Land in *Harwich*, who by *Samuel Knowles* their Attorney (in the Life time of said *Freeman*) brought their Action of Trespass at the Court of Common Pleas, in the County of *Barnstable*, against *Robert Nickerson*, *Joseph Covel*, and *Ephraim Covel* for Trespassing on the said Land, and recovered Judgment, and the said *Nickerson* and *Covels* appealed to the Superiour Court, but before the time of the Courts Sitting, the said *Thomas Freeman* Died, and the Court found the Action to be Dead with him. Praying that by an Act of this Court the Appellants may be obliged to appear at the next Superiour Court of Judicature to be holden at *Plymouth*, and there prosecute their Appeal. Read and sent up.

William Payne Esq; brought in and presented to the House the Pictures of King *William* and Queen *Mary* of Glorious Memory.

Ordered, That the Thanks of this House be given to Mr. *Payne* for his acceptable Present, and that they be set up in the House.

The Report of the Committee of both Houses for the Instruction of the Eastern Indians, *&c.* Read again, and,

Resolved, That the said Report be so far accepted, That a Minister be procur'd and sent for One Year.

That a suitable allowance not exceeding the Sum of *l.* 150. be made out of the Publick Treasury for his Support, as His Excellency and Council shall think fit.

That an assistant be obtain'd as proposed in the Report.

That the Sum to be dispensed in Toys to the Indian Children, to encourage them to Learn, be *Ten Pounds.* Sent up for Concurrence.

The Petition of that part of *Hingham*, called *Cohasset*, or little *Hingham*, Sent down from the Board, pass'd on there, *viz.* In Council, *Novemb.* 21. 1716. Upon a full Hearing had Yesterday before the whole Court, between both Parties on this Petition.

It is Considered and Ordered, That the Hon. *Penn Townsend*, and *Edmund Quincey* Esqrs; with such as the Honourable House of Representatives shall appoint, be a Committee to repair to the Town of *Hingham*, and view the Situation thereof, in order to which a rough Draught of the Town Plat, setting forth the Number of Families, with the Distances of their Dwelling Places from the Meeting Houses, the Petitioners are hereby directed to prepare, and lay before the said Committee, and hear the Allegations on both sides, and make report thereof at the Sessions of this Court in *May* next, the Charges arising thereon to be born by the Petitioners. Sent down for Concurrence.

Read and Concurr'd. And *Antony Stoddard* Esq; Mr. *William Denison* and Capt. *John Mills*, are joined in the affair.

A Memorial of *John Watts* of *George Town* on *Rowsick Island*, Praying that the Forces they are now favoured with may be continued till their Settlements are compleated, to prevent the Insults of the Indians, who grow very troublesome to them. Sent down from the Board, having been Read there. Read, and

In Answer to the said Memorial.

Voted, That *Fifteen* Souldiers in the Publick Pay be allowed till the Sessions of this Court in *May* next. Sent up for Concurrence.

Upon a Motion being made.

Voted, That *Ten* Souldiers in the Publick Pay be allowed to cover the Settlement that is making at *Small Point* near *Sagadehoc* for One Year, if the interested can find so many that will Inlist themselves for that Service.

Sent up for Concurrence.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

BOSTON: Printed & Sold by B. Green. 1716. [46 *blank*, 47]

Province of the Massachusetts-Bay.

VOTES of the House of Representatives.

Jovis 22. Die Novembris, 1716.

A Bill Entituled, *An Act in Addition to the Act for the orderly Consummating of Marriages.* Read a 3*d* time, and Pass'd to be Engross'd.

Sent up for concurrence.

A Bill Entituled, *An Act for the better Observation & Keeping of the Lord's Day.* Read a 2*d* time.

A Message from his Excellency the Governour, by *Penn Townsend* Esq; That he has Discours'd His Honour Governour *Saltonstall*, upon the Subject the House desired him Yesterday; and he has promis'd him, to Interpose his good Offices in the Affair.

3. Post Meridiem

The Petition of *Rebeckah Freeman*, &c Praying as entred Yesterday: Sent down from the Board, Pass'd upon there, *viz.* In Council, *Nov.* 22*d.* 1716.

Read, and

Ordered, That the Petitioners serve the Appellants with a Copy of this Petition; and that the Appellants bring forward their Appeal, at the Superior Court of Judicature next, to be holden for and within the County of *Plymouth;* and that the Appellees Council prepare a Bill accordingly.

Sent down for Concurrence. Read and Concurr'd.

A Bill Entituled, *An Act for Settling of Grants.* Read a 1*st* Time.

Whereas this House Pass'd a Vote at their Sessions the 31*st Day of* May, 1715. *In the following Terms*, viz.

'*Voted*, That the right of this Province in and to the River commonly called *Piscataqua* River, be Asserted and Maintained. And in order there-unto:

'That a Breast-work for Six Guns be Erected in some convenient Place in the 'Town of *Kittery*, for the Defence of the River.

'That Six Guns with Shot and Carriages be Ordered to the Town of *Kittery*, 'upon their Erecting a Breast-work, and Platform, and obliging themselves to 'Maintain the same.

'That His Excellency be desired to give His Orders accordingly.

'That it is for His Majesty's Service, That there be a Naval Office kept in the 'Port of *Kittery*, to avoid the Unreasonable Duties or Impositions Exacted from 'the Inhabitants of this Province, passing in and out said River, by the Naval 'Officer of the Government of *New-Hampshire*.

'That all Ships or other Vessels that Load or Unload at the Port of *Kittery*, 'be obliged to enter, & clear with the Naval Officer there, & Pay the Duties of Im-'post & Powder Money according to Law.

'That all the Harbours in *Kittery* and *Berwick*, shall belong to the Port of '*Kittery*. Sent up for Concurrence.

Which Vote was sent up to the Honourable Board for Concurrence; and there Concurr'd, and Consented to by the Governour.

And whereas the Vote aforesaid, has not yet been put in Practice.

Voted, That His Excellency the Governour be desired to bring forward the Execution thereof as soon as may be. Sent up for Concurrence.

The Petition of *John Buchanan*, &c. Bakers in *Boston*, Committed the 8*th* Currant, further Considered; and the Report of the Committee thereon, which was Accepted by the House, and

Ordered, That a Bill be drawn accordingly.

The Petition of *John Simmons*, *Jonathan Dodson*, &c. of *Freetown:* Praying as entred the 20*th* Currant. Read again, and the Report of the Committee thereon, which was not Accepted.

In Answer to the said Petition,

Resolved, That the Sum of *Twenty Pounds*, be Allowed and Paid out of the Publick Treasury, towards the Maintenance of the Ministry in the said Town, the Year Currant. Sent up for Concurrence.

A Bill Entituled, *An Act in Addition to an Act, Entituled, An Act for the better Observation and Keeping of the Lord's Day.* Read a 3*d* Time, and Pass'd to be Engross'd. Sent up for Concurrence.

A Bill Entituled, *An Act for the more effectual Preventing Default in the Appearance of Jurors.* Read a 2*d* Time.

A Petition of *John Bourn:* Presented to the House and Read; Praying. That he may be Paid the Sum of *Fifty Pounds*, for Damage he has sustain'd by the Fort, which was lately at *Casco Bay*, it's standing several Years upon his Land, the Wood and Timber being cut off for the use thereof.

And the Question being put, *Whether any Sum be Granted, in Answer to the said Petition?* It Pass'd in the Negative.

And then the House Adjourn'd till to Morrow Morning Nine a Clock. [48]

Veneris 23. Die Novembris, 1716.

THe Report of the Committee of both Houses, upon that Paragraph in his Excellency's Speech, which relates to a Medium of Trade. Read again.

A Bill Entituled, *An Act for the more effectual Preventing Default in the Appearance of Jurors.* Read a 3*d* Time, and Pass'd to be Engross'd.

Sent up for Concurrence.

The Report of the Committee Appointed the 11*th* of *June* last, to Investigate a suitable Place for a Hospital, for Infectious Persons, *&c.*

Voted, That the said Report be so far accepted, that the Acre of Land men-

tioned therein on *Squantom-Neck*, with necessary Priviledges, be Purchased and Paid for out of the Publick Treasury, The Title to be vested in the Province Treasurer for the time being, for the use of the Province.

That *One Hundred and Fifty Pounds* be allowed out of the Publick Treasury for Erecting necessary Buildings *&c.* thereon.

That *Samuel Thaxter*, and *William Payne* Esqrs; be a Committee to take care for the Building, and fitting the Hospital, as soon as conveniently may be.

And that the said Committee prepare and lay before the Court, a Draught of a Bill, Enacting as they shall think necessary on this occasion.

Sent up for Concurrence.

A Petition of *William Pickering* and Six others, Select Men of the Town of *Salem*, Shewing there is a great Difference and Contention arisen in the said Town respecting the Property of their Common Lands. Praying this Court to send a Committee to view and consider the Records relating thereto, in order to the issuing and setling of their Differences.

And the Question being put, *Whether the Prayer of the Petition be granted?*

It pass'd in the Negative.

The Petition of *John Brigham*, and Thirty others.

And the Petition of *Isaac Amsden* and Sixty Six others, Inhabitants of *Marlborough* both committed the 9th Currant, further considered, and the Report of the Committee thereon, which was accepted by the House, and accordingly, the following Vote passed on the former of the said Petitions, *viz.*

Ordered, That the Petitioners prepare a Plan of the Land Petitioned for, and lay it before this Court, at their next Sessions, and that *Marlborough* Petition be continued to that time, That this Court may advise what may be for the Publick Benefit. Sent up for Concurrence.

The Bill Intituled, *An Act in Addition to An Act*, Intituled, *An Act for the better Observation and Keeping of the Lords-Day*. Brought down from the Board by *Samuel Sewall* and *Addington Davenport* Esqrs; with a Message that the Board had Concurr'd the said Act, with some Amendments to which they desire the Concurrence of this House.

The said Amendments Read, and all but one Agreed to by the House.

The Report of the Committee relating to the Divisional Line between the Towns of *Concord* and *Stow*, which was referr'd the 27th of *June* last, further Considered, and

Inasmuch as the Committee formerly sent to discover the Line between the Towns of Concord *and* Stow, *did not finish that Service.*

Ordered, That *Samuel Thaxter* Esq; Capt. *Samuel Gardner*, and Capt. *Joseph Burnap* be a Committee to Investigate and Settle the Bound-marks between the said Towns. And make Report to this Court, of their doings, and their opinion, by whom of Right the Charge of the Committee ought to be born.

Sent up for Concurrence.

A Message from the Board by *Thomas Noyes* Esq; That the House now come up to attend a Hearing upon the Petition of *Joseph Anger*, *John Parmeter*, *Josiah* and *Thomas Wood*, of *Framingham*.

And upon the Petition of *John How* of *Framingham*, both appointed the 17th Currant.

Mr. Speaker and the House went up accordingly, and the Parties concern'd in both Petitions being heard, returned again to their own Chamber.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Sabbati 24. Die Novembris, 1716.

A Bill Intituled, *An Act for Setling of Grants*. Read a 2d and 3d time. And pass'd to be Engross'd. Sent up for Concurrence.

A Petition of *John Cutting* of *Watertown*, Presented to the House & Read, praying, That Two Hundred Acres of Land, lying near *Hassanamisco* which *Andrew Pittimee* Indian, gave to his late Father, *John Cutting*, per Deed of Gift, Dated *January* 18th 1688. may be confirmed to him.

And the Question being put, *Whether the Prayer of the Petition be Granted?*

It pass'd in the Negative.

Ordered, That Mr. *Cooke*, Mr. *Parker* and Mr. *Turner*, be a Committee, to Consider, what Bills are Expired, or near Expiring, and ought to be Revived, or Continued, and to Prepare and lay before the House, a Bill, or Bills, for that end.

A Message from the Board by *John Higginson*, Esq; That the House, now come up to attend the Hearing upon the Petition of *Daniel Bartlet*.

Mr. Speaker and the House went up accordingly: And when the Hearing was ended; Return'd again to their own Chamber.

And then the House Adjourn'd till Monday next three a Clock in the Afternoon.

BOSTON: Printed & Sold by B. Green. 1716. [49]

Province of the Massachusetts-Bay.

VOTES of the House of Representatives.

Lunæ 26. Die Novembris, 1716.

A Bill Entituled, *An Act for the Promoting and Encouraging of Children and Servants, to be taught to Read, and Instructed in the Principles of Christianity.* Read a first Time.

A Bill Entituled, *An Act in Addition to an Act, Intituled, An Act for the due Assize of Bread.* Read a first Time.

A Bill Entituled, *An Act, in Addition to an Act, Entituled, An Act Providing in Case of Sickness.* Read a first Time.

The Petition of *John How*, upon which there was a Hearing before this Court the 23d Currant: Sent down from the Board, Pass'd on there, *viz.* In Council, *November* 24th, 1716. Upon a full Hearing had Yesterday on the within Petition.

Ordered, That this Petition be Dismist, for that the Law has already made Provision in that behalf. Sent down for Concurrence.

Read and Non-Concurr'd; Inasmuch as we apprehend the first Verdict, being Accepted by the Court, ought to have been final; and that the second Verdict is therefore null and void.

An Engross'd Bill, Entituled, *An Act, in Addition to the Act, Entituled, An Act for the better Observation and Keeping the Lords Day.* Read, and

Resolved, That the Bill do Pass to be Enacted.

A Message sent up to the Board by Mr. *Cooke*, and Col. *Somersby*, to Enquire whether they have Concurr'd the Vote of this House, upon the Light-House Accompts.

Who Return'd, That they had Appointed a Committee to Inspect the said Accompts, who had not yet made their Report thereon.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Martis 27. Die Novembris, 1716.

THe Report of the Committee of both Houses, Appointed to Consider that Paragraph of His Excellency's Speech relating to a Medium of Trade. Further Considered.

A Bill, Entituled, *An Act, in Addition to an Act, Entituled, An Act for the due Assize of Bread.* Read a second Time.

A Bill Entituled, *An Act for the Promoting and Encouraging of Children and Servants, in the Principles of Christianity.* Read a second Time.

A Bill Entituled, *An Act, in Addition to an Act, Entituled, An Act Providing in Case of Sickness.* Read a second Time.

The Petition of *Joseph Anger, Thomas Wood, Josiah Wood*, and *John Parmeter*.

Sent down from the Board, Pass'd on there, *viz.* In Council, *November* 26th, 1716.

Upon a Hearing had on this Petition the 23d Currant.

Ordered, That the Petitioners be, and hereby are fully Impowered, to bring forward their Appeal, at the next Court of General Sessions of the Peace, for and within the County of *Middlesex*, they Filing Reasons of Appeal, and giving Bond to prosecute the same, as the Law directs. And that the Petitioners Serve the Complainant *Enoch Cleverland*, with a Copy of this Petition, and Order thereon. Any Law, Usage or Custom to the contrary notwithstanding.

Sent down for Concurrence.

Read and Non-Concurr'd; Inasmuch as the Matter brought before the Justice, was not in his Power to Try and Determine; And that therefore the House are of Opinion, That the whole Proceeding of the said Justice in that Affair be null and void.

A Message sent up to the Honourable Board by Capt. *Noyes*, and Maj. *Stoddard*, to Inquire what is done upon the Petition of *John How*, since it was sent up; And to Desire that when the Houses do not readily Agree in things needful to be done, That they may not then be dropt, but an Agreement Endeavoured, by the Conference of both Houses, or Committees of them.

The Petition of *John Hinks* of *New Castle*, Praying as Entred the 16th of *December* last. Read, and the Accompt, which he prays may be paid, with his Oath thereon.

Resolved, That the Sum of 16 *l.* 8 *s.* 3 *d.* be Allowed, and Paid out of the Publick Treasury to Mr. *John Hinks* the Petitioner, in Discharge of his Accompt.

Sent up for Concurrence.

3. Post Meridiem.

Ordered, That the Commissioner of Impost be directed to supply the Keeper of the Light-House with Oyl, Week, and Candles, for the Maintaining the Lights, as often as he shall have occasion, and with such other things, as may be necessary for the same. And bring the Charge into his Accompts.

Sent up for Concurrence.

A Petition of *William Sawyer*, and *Samuel Cane*, Representatives of the Towns of *York* and *Wells*, Presented to the House and Read, Praying the Grant of a Barrel of Powder, and Shot, answerable, to each of the said Towns, for reasons they assign.

In Answer to the said Petition.

Voted, That One Barrel of good Gun-powder, and Two Hundred Weight of Shot be Granted out of the Publick Stores, to each of the said Towns, to be kept, for Town Stock. Sent up for Concurrence.

This being the Day appointed, for the Hearing of the Commissioners, for the Bounty & Charity of *Edward Hopkins* Esq; Deceased: Upon the Petition of *Joseph Buckminster* Esq; in behalf of the Town of *Framingham;* the Honourable *Samuel Sewall*, *John Leverett*, and *Thomas Fitch*, Esqrs; with [50] Mr. *Daniel Oliver*, being some of the said Commissioners, were Admitted into the House. And the said Petition being Read; They were heard thereon; and the said *Buckminster* in answer to them, and then withdrew.

A Bill Intituled, *An Act in Addition to an Act, Intituled, An Act for the Punishing of Criminal Offenders.* Read a first time.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Mercurii 28. Die Novembris, 1716.

A Petition of *Richard Car:* Presented to the House and Read; Shewing, That he Preferr'd his Petition to this Court, for obtaining his Right in the Ferry between *Newbury* and *Salisbury*, which was Pass'd upon by the Honourable Council, That there was no Ground for his Petition; which the House of Representatives Non-Concurr'd, finding he had Reason to ground his Petition upon: Praying that the Consideration of his Petition may be Reassum'd.

A Message sent up to the Board by Mr. *Anthony Stoddard*, and Col. *Goffe*, Desiring the said Petition may be sent down. And it was accordingly sent.

The following Vote brought down from the Hon. Board, *viz.* In Council, *November* 27, 1716.

Ordered, That *Nathanael Byfield*, *Benjamin Lynde*, and *Addington Davenport* Esqrs, with such as the Honourable House of Representatives shall join, be a Committee to Confer upon the Subject Matter of the Petition of *John How* of *Framingham*, within the County of *Middlesex*. Sent down for Concurrence.

Read and Concurr'd. And,

Ordered, *Elisha Cooke*, Esq; Mr. *Thomas Turner*, *Daniel Parker*, and *Samuel Thaxter*, be a Committee for the said Affair.

A Bill Intituled, *An Act in Addition to An Act, Intituled, An Act for the Punishing Criminal Offenders.* Read a Second time.

A Bill Intituled, *An Act for the Promoting and Encouraging of Children and Servants in the Principles of Christianity.* Read a 3d time, and pass'd to be Engross'd. Sent up for Concurrence.

A Bill Intituled, *An Act in Addition to An Act*, Intituled, *An Act providing in case of Sickness.* Read a 3d time, And pass'd to be Engross'd.

Sent up for Concurrence.

A Petition of Col. *Benjamin Church*, Presented to the House and Read, Praying that Arrears of Pay which he thinks due to him for his Service in the late Wars against the Indians, may be paid to him.

And the Question being put, *Whether the House is of Opinion, That there is any thing due to the Petitioner?*

It pass'd in the Negative, *Nemine Contradicente.*

A Petition of *John Pierce* and *John Tidd* in behalf of the Town of *Woburn*, Presented to the House and Read, Praying they may be allowed to lay out Two Thousand Acres of Land in some place in the Province, not yet appropriated, which was Granted to the said Town in *October* 1664, but not yet taken up.

Ordered, That the Prayer of the Petition be Granted.

Sent up for Concurrence.

A Petition of *Sarah How*, and Six others, the Mother and Brethren of *Elisha How* of *Sudbury*, a Distracted Person, Praying that *John How* of *Framingham*, Brother of the said Distracted Person, may be Constituted the Guardian of his Person and Estate. Sent down from the Board, pass'd on there, *viz.* In Council, *November* 27. 1716. Read and Ordered, That the Prayer of the Petition be Granted, and that *John How* of *Framingham*, in the County of *Middlesex*, be and hereby is Constituted, and Appointed Guardian unto his Brother *Elisha How*, the Distracted Person within mentioned, the said *John How* giving Bond to the Judge of Probate of Wills, *&c.* within the County aforesaid, as the Law in such case provides. Sent down for Concurrence. Read and Concurr'd.

Whereas it is Enacted in the Act Intituled, An Act for Granting unto His Majesty several Rates and Duties of Impost and Tunnage of Shipping, *viz.*

'That if the Commissioner or Receiver shall suspect that any Merchant, Factor 'or other Person, to whom any Wines, Liquors, Goods or Merchandizes comes 'Consigned, does not in the Entry or Writing thereof to be given under his Hand, 'as aforesaid, make a full and perfect Entry of such Wines, Liquors, Goods and 'Merchandizes, or that the Invoices thereof produced and shewn by any Person 'or Persons, as by this Act is directed, are not really and *bona fide*, the Original 'Invoices of the Wines, Liquors, Goods and Merchandizes such Person or Persons 'should then Enter. In every such case, the Commissioner or Receiver is hereby 'Ordered and Directed not to admit such Person or Persons to any Entry of the 'said Wines, Liquors, Goods or Merchandizes, until he or they shall have made 'Oath to the Truth of said Writing or Invoice, by him or them presented, as afore-'said. —

Whereby the Commissioner is laid under the Hardship of suspecting, and so offending all such Persons as he shall Administer an Oath to, as aforesaid,

Resolved, That the said Commissioner be and hereby is directed and impowered to Administer such Oath to every Person and Persons whatsoever, before he admit him or them to any Entry. Any Law, Usage or Custom to the contrary notwithstanding. Sent up for Concurrence.

The Petition of *Daniel Bartlet*, Sent down from the Board, pass'd on there, *viz.* in Council, *Novemb.* 28th. Upon a Hearing on this Petition the 24th Currant.

Ordered, That the Petitioner *Daniel Bartlet*, be allowed a new Tryal at the Superiour Court next to be holden at *Bristol*, for and within the County of *Bristol*, and that the Petitioners Council prepare a Bill accordingly.

Sent down for Concurrence. Read and Concurr'd.

A Bill Intituled, *An Act for the Relief of* Rebeckah Freeman *Widow, Executrix to* Thomas Freeman, *&c.* Read 3 times. And the Question being put, *Whether the Bill shall pass to be Engross'd?* It pass'd in the Negative.

3. Post Meridiem.

A Bill Intituled, *An Act for the more effectual preventing Default in the Appearance of Jurors*. Sent down from the Board, Concurr'd with Amendments, whereof Part was agreed to by the House, and the Bill sent up again.

The Report of the Committee of both Houses upon that Paragraph of His Excellency's Speech which relates to a Medium of Exchange in Trade, Read again, and accepted by the House with some Alterations.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

BOSTON: Printed & Sold by B. Green. 1716. [51]

Province of the Massachusetts-Bay.

VOTES of the House of Representatives.

Jovis 29. Die Novembris, 1716.

THe Petition of the Town of *Hatfield*, which was referr'd in *December* last to a Committee. Read.

Inasmuch as the Committee to whom this Petition was referr'd in December *last have laps'd their time, and made no Report.*

Ordered, That the Hon. *John Pynchon*, and *John Ashley* Esqrs, and Lieut. *John Mirick*, be a Committee to whom this Petition is referr'd, to Consider the Subject Matter and Allegations thereof, and make Report what they think proper to be done thereon, at the Sessions of this Court in *May* next.

Sent up for Concurrence.

An Engross'd Bill, Intituled, *An Act for the more effectual preventing Default in the Appearance of Jurors.* Read, and

Resolved, That the Bill do pass to be Enacted.

The Committee to whom the Lists of the Rateable Estates, return'd by the several Towns were Committed, Reported, That the said Lists are returned in very different Forms, so as not fully to answer the Design of the Law that requir'd them; and some Towns have return'd none, that they could not proceed as they were Ordered, to Proportion the several Towns to a Tax of a *Thousand Pounds.*

Ordered, That a proper Form of such Lists be Prepared, Printed; and Copies of them sent to each Town of the Province, that they may all make uniform Returns, pursuant to the Act made in the last *May* Sessions. That Mr. *Payne*, Col. *Basset*, and Mr. *Little*, be a Committee to prepare a Draught of such Form, and lay it before the House.

A Bill Intituled, *An Act for the Making and Emitting the Sum of* One Hundred Thousand Pounds *in Bills of Credit on this Province, in such Manner as in the said Act is hereafter expressed.* Read.

A Draught of a Commission and Instructions for Mr. Agent *Dummer*, prepar'd by a Committee of both Houses. Sent down from the Board, pass'd upon there, *viz.* In Council, *November* 29th, 1716. Read and Accepted.

Sent down for Concurrence.

Read and Concurr'd, with Amendments.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Veneris 30. Die Novembris, 1716.

A Bill Intituled, *An Act for settling of Grants.* Sent down from the Board, Concurr'd with some Amendments, which were Read and Agreed to, and the Bill sent up again.

A Bill Intituled, *An Act in Addition to an Act, Intituled, An Act for the Punishing Criminal Offenders.* Read a 3d Time, and pass'd to be Engross'd.

Sent up for Concurrence.

Upon a Motion being made, and the Question being put, *Whether the Vote for Abating that Clause in Mr. Agent* Dummers *Instructions, relating to the preventing a private Projection of a Medium of Trade, shall be Reconsidered?*

It pass'd in the Negative.

A Bill Intituled, *An Act for the Making and Emitting the Sum of* One Hundred Thousand Pounds *in Bills of Credit on this Province in such manner as in the said Act is hereafter expressed.* Read a 2d Time.

Mr. Monitor *Chapin*, and *Reed* being Absent.

Ordered, That Col. *Basset*, and Capt. *White*, be Monitors, to take Care that the Orders of the House be duely Observed.

Ordered, That the Reverend Mr. *Cotton* of *Sandwich*, be Desired to Preach before his Excellency and this Court, in the Publick Assembly on the Anniversary Day of Election of Counsellors in *May* next.

A Petition of *Richard Car;* Praying as entred the 28th Currant. Further Considered, and

Ordered, That a Hearing be Granted on the said Petition, on the first Fryday of the next Sessions of this Court, the Petitioner to serve the Adverse Party with a Copy of the Petition. Sent up for Concurrence.

A Petition of *Samuel Moodey*, Presented to the House & Read. Praying, That 10 or 12 Soldiers in the Publick Pay, may be Allowed to Cover a Settlement, which he and others are making at *Falmouth*, in *Casco Bay*.

And the Question being put, *Whether the Prayer of the Petition be granted?*

It pass'd in the Negative.

A Petition of *Thomas Phillips* of *Boston*, Blacksmith, who was wounded in both his Legs in the Service against the French at Port-Royall, *Anno* 1709. whereby he is Disabled from following his Trade, to support himself and Family. Praying an Annual Pension may be Setled upon him, during Life.

In answer to the said Petition.

Resolved, That a Pension, of *Four Pounds* be Allowed, and Annually Paid out of the Publick Treasury to *Thomas Phillips* the Petitioner during his natural Life.

Sent up for Concurrence.

A Message from the Honourable Board by the Honourable *Samuel Sewall*, *Addington Davenport*, *Thomas Hutchinson*, *Samuel Brown*, and *Thomas Fitch*, Esqrs; moving the House to Concur an Article in the Instructions to Mr. Agent *Dummer*, reported by the Committee which they had not Consented to, for Reasons they gave, and withdrew. [52]

Voted, That the House do adhere to their former Vote, as to that Article.

A Bill Intituled, *An Act for the Making and Emitting the Sum of One Hundred*

Thousand Pounds in Bills of Credit on this Province, in such manner, as in the said Act is hereafter Expressed. Read a 3d time. And

Pass'd to be Engross'd. Sent up for Concurrence.

The Report of the Committee appointed the 9th Currant, to Consider the Difference between the Precincts of *Chebacco*, and the *New Hamlet* in *Ipswich*, *&c.* Sent down from the Board pass'd on there, *viz.* In Council, *Nov.* 29th. 1716.

In Answer to the Petitions of *Chebacco*, and the *Hamlet* Precincts of *Ipswich*.

Voted, That the Report of the Committee as to the Bounds of *Chabacco*, be accepted, excepting *Knights* Farm, which is hereby Directed, and Ordered to lie to the *Hamlet;* and that the Meadows and other Lands, lying on each side said Line, shall do Duty to that Precinct wherein they lie.

Sent down for Concurrence. Read and Concurr'd.

A Bill Intituled, *An Act in Addition to an Act*, Intituled, *An Act for the due Assize of Bread.* Read a 3d time, and pass'd to be Engross'd.

Sent up for Concurrence.

The Petition of *Joseph Buckminster*, on which there was a Hearing before this House the 27th Currant. Read again. And the Memorial of *Samuel Sewall*, *John Leverett*, *Thomas Fitch* Esqrs; and Mr. *Daniel Oliver*, a Committee of the Trustees for the Legacy of *Edward Hopkins* Esq; Deceased, which was pass'd upon in this House, the 25th of *June* last, Read.

And the Question being put, *Whether the Prayer of the Petition be Granted?*

It pass'd in the Negative.

Whereas the Trustees for the Legacy of Edward Hopkins *Esq; Deceased, have desired to purchase the Lands belonging to the Province, lying in* Hopkinston.

Ordered, That Col. *Thaxter*, Capt. *Noyes*, and Capt. *Gardner* be a Committee to Treat with them thereon, and make Report to this House as soon as may be.

A Bill Intituled, *An Act for the further Continuing of an Act, Intituled, An Act concerning Bankrupts, and for the Relief of the Creditors against such Persons as shall become Bankrupts.* Read a 1st Time.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Sabbati 1. Die Decembris, 1716.

THe Committee appointed yesterday to Treat with the Trustees for the Legacy of *Edward Hopkins* Esq; Deceased, Reported to the House, that they had discoursed them on that Affair, who continue their Request that the said Lands may be Granted for the same Publick and Pious uses, that the said Legacy was Granted, but if they must purchase it they then submitted the Price to this Honourable Court.

Resolved, That all the Province Lands contained within the Bounds of the Town of *Hopkinston*, be freely given and Granted to the Trustees of the Legacy

of *Edward Hopkins* Esq; Deceas'd, and their Successors in that Trust forever, for and to the same Good & Pious Uses, Ends and Purposes which that part of *Hopkinston* called *Maguncug* was purchased, They giving reasonable Satisfaction to Mr. *John Francis*, for his Grant of One Hundred Acres of Land, which he has taken up in the said Township.

And paying the Town of *Framingham* their necessary Charge in taking a Plat of the said Lands, pursuant to a Vote of this Court.

Provided, That this Grant shall intrench upon no former Grant or Grants.

Sent up for Concurrence.

A Bill Intituled, *An Act for the further continuing of An Act, Intituled, An Act concerning Bankrupts, and for the relief of the Creditors, against such Persons as shall become Bankrupts.* Read a 2d time.

An Engross'd Bill, Intituled, *An Act in Addition to An Act, for the orderly consummating of Marriages.* Read, and,

Resolved, That the Bill do pass to be Enacted.

An Engross'd Bill, Intituled, *An Act in Addition to An Act Intituled, An Act for the Punishing Criminal Offenders.* Read, and,

Resolved, That the Bill do pass to be Enacted.

An Engross'd Bill Intituled, *An Act for Setling of Grants.* Read, and

Resolved, That the Bill do pass to be Enacted.

A Petition of *Mercy* & *Thomas Verien*, praying as entred the 22d of *June* last.

Read and Committed.

A Petition of *Hannah Wright*, Executrix to the last Will & Testament of her late Husband *Thomas Platts* late of *Boston*, Butcher, Deceas'd, Presented to the House, and Read, praying that a Slaughter House in the said Town, which was her said late Husbands, may be Sold to redeem a Pasture that he in his Life time had Mortgaged. And to pay some other Debts.

A Petition of *Pain Mayhew*, Town Clerk of the Town of *Chilmark*, by order of the said Town, praying That all the Lands upon *Martha's Vineyard*, lying to the Westward of the said Town, may be added, and annexed to it, together with an Island called, *No Mans Land.* Sent down from the Board, passed upon there, *viz.* In Council, *Novemb.* 30. Read and Resolved, That the Prayer of the Petition be Granted, alwayes provided, That it Extend not to, or take in any part of the *Gay-Head Neck*, upon the Island of *Martha's Vineyard.* Sent down for Concurrence.

Read and Concurr'd.

The Committee appointed to prepare a Form of a List to be sent to the several Towns wherein to Return an Account of their Polls, and Rateable Estates. Presented the same to the House, which was not Accepted.

Ordered, That the further Consideration of the Lists of Polls and Estates, return'd from the several Towns be referred to the next Session of this Court.

The Bill Intituled, *An Act for the Making and Emitting the Sum of One Hundred*

Thousand Pounds, in Bills of Credit on this Province, in such manner, as in the said Act is hereafter expressed. Brought down from the Board by the Honourable *Samuel Sewall, Edward Bromfield, John Cushing, Nathanael Pain, Benjamin Lynde,* and *Addington Davenport,* Esqrs; with a Message that the Honourable Board had Concurr'd the said Bill, with an Amendment, the said Amendment Read and Agreed to by the House.

And then the House Adjourn'd till Monday next three a Clock in the Afternoon.

BOSTON: Printed & Sold by B. Green. 1716. [53]

Province of the Massachusetts-Bay.

VOTES

of the House of Representatives.

Lunæ 3, Die Decembris, 1716.

A Vote of the Honourable Board, impowering the Committee of *Worcester*, to constitute some Person to Collect Taxes there, & to vest such Collectors with Power to do it. Sent down for Concurrence. Read and Concurr'd.

The Petition of *Mary* and *Thomas Verien*, Committed the First Currant, further considered, and the Report of the Committee thereon, Read and accepted by the House, and accordingly,

Ordered, That the Prayer of the Petition be Granted, and the Petitioners Council prepare a Bill accordingly. Sent up for Concurrence.

A Petition of *Thomas Tilestone*, *Oliver Wiswell*, and *Samuel Paul*, in behalf of the Town of *Dorchester*, presented to the House and Read, praying that One Thousand Acres of Land, laid out between the Towns of *Sutton* and *Hopkinston*, for the use of the Free-School in *Dorchester*, may be confirmed to the said Town for the said use.

And the Question being put, *Whether the Prayer of the Petition be Granted?*

It pass'd in the Negative.

An Account of the Time and Expences of the Committee appointed to join with the Committee of *Rhode-Island* Government, to finish the Running of the Line between that and this Government, Dated *May* 16. 1716. and Sign'd *Nathanael Pain*, amounting to the sum of *l.* 11 7. *s.* presented to the House for Allowance and Payment.

Resolved, That the Sum of *Eleven Pounds* & *Seven Shillings*, be allowed and paid out of the Publick Treasury to the Hon. *Nathanael Pain*, Esq; to discharge the said Accompt. Sent up for Concurrence.

A Petition of *John Ruby*, and 14 others, Prisoners in His Majesties Goal in *Boston*, presented to the House and Read, praying that some Provision may be made, That they may be supplied with Firing.

Resolved, That the Treasurer be and hereby is directed and impowered, to issue forth and Emit of the Bills of Publick Credit, received into the Treasury, the Sum of *Six Thousand Pounds*, for payment of the Publick Debts of the Province already contracted, for the Defence and Support of the Government, and the necessary protection and preservation of the Inhabitants of this Province, and for the subsisting of Forts or Garrisons, and Wages arising for their Service, for payments of Grants, Salaries and Allowances, made or to be made by this Court, according to such Draughts as from time to time, shall be made upon him by War-

rant or Order of the Governour or Commander in Chief for the time being, and by and with the Advice and Consent of the Council. And the said Bills shall pass out of the Treasury, at the value therein expressed, equivalent to Money, and shall be taken and accepted in all Publick Payments at the advance, and after the Rate of *Five Pounds* per Cent more. And as a Fund and Security for the same, there be, and hereby is Granted to His Most Excellent Majesty, to the Ends and Uses as aforesaid, a Tax of *Six Thousand Pounds* to be Levied on Polls and Estates both Real and Personal within this Province according to such Rules, and in such Proportion upon the several Towns and Districts within the same, as shall be agreed on and ordered, by the Great and General Court or Assembly of this Province at their Session in *May*, *Anno* 1719. and Paid into the Treasury on or before the last Day of *December* next after. Sent up for Concurrence.

A Bill Intituled, *An Act for the further continuing of, and in Addition to, An Act, Intituled, An Act concerning Bankrupts, and for the relief of Creditors against such Persons as shall become Bankrupt.* Read a Third time, And pass'd to be Engross'd. Sent up for Concurrence.

A Draught of further Instructions to Mr. Agent *Dummer*. Sent down from the Honourable Board, pass'd upon there, *viz. December* 3. 1716. *viz* Read and Voted, That [54] the aforegoing be Additional Instructions to Mr. Agent *Dummer*. Sent down for Concurrence. Read and Concurr'd.

The House proceeded to Vote Commissioners for the several Counties to Let out *l.* 100000, of Bills of Publick Credit, pursuant to the Bill, passed this Session to be Engross'd. A List whereof was drawn, and Sent up for Concurrence.

Ordered, That the Sheriff of the County of *Suffolk*, be directed to take care from time to time, to Transmit the Acts made, and passed by this Court, to the several Towns of the said County, And to the Sheriffs of all the other Counties, in this Province. Who are also hereby directed to take care to Transmit them to the several Towns of their respective Counties. Sent up for Concurrence.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Martis 4. Die Decembris, 1716.

THe Committee appointed to consider of the Laws relating to Fees, &c. Brought in their Report, which was Read, *viz* Having considered the same, and more particularly the Act made at *May* Sessions, in the First Year of His Majesties Reign, 1715. being *An Act in Addition to An Act for Regulating Fees*, are of Opinion, that the said Act was not made to inlarge Officers Fees, or to state any new Fees, to either the Secretary or Clerks for any Service proper or usual for them to do, in their respective Offices, without pay. But that the intent of the said Act was to restrain them from taking excessive Fees, for any such things as should be by them entred, Registred and Copied, for particular Persons.

And we are also of Opinion that the Fee stated in the Secretaries Fees, for every Petition to the Governour and Council, or General Assembly, according to the Import from *Two & Six Pence*, to *Ten Shillings*, must be meant and intented only such Petitions as are first given in to the Board or upper House, And that the Law be so explained accordingly.

An Accompt of Fees, charg'd to the Province by Mr. Deputy Secretary, amounting to the Sum of *l.* 15 5 *s.* 6 *d.* Sent down from the Honourable Board.

Read.

And a Report of a Committee of the Board upon the said Accompt, that was sent down therewith. Read.

Ordered, That the Committee that made the last Bills of Credit on this Province be directed to make *One Hundred Thousand Pounds* more of the said Bills, with as much Expedition as may be, and when and so often as they shall have perfected the Sum of *Twenty Five Thousand Pounds* of said Bills, they shall deliver them to the Commissioners appointed in the several Counties to Let out the same in proportion as directed by An Act passed this Session, taking the Receipt of each one of the respective Commissioners for the same, the Committee to be paid for making the Bills, as for the last they made.

Sent up for Concurrence.

Resolved, That the Sum of *Five Hundred Pounds* be allowed and paid out of the Publick Treasury to His Excellency *Samuel Shute*, Esq; Captain, General and Governour in Chief of this His Majesty's Province, for his Support in managing the Affairs of the Government. Sent up for Concurrence.

Resolved, That the Treasurer be directed to purchase good Bills of Exchange for *Three Hundred Pounds* Sterling, to be paid to Mr. *Jeremiah Dummer* in *London*, Agent for this Province, further to Enable him, to Negotiate the Affairs thereof. Sent up for Concurrence.

Resolved, That the Treasurer be directed to purchase good Bills of Exchange for *One Hundred Pounds* Sterling, to be paid to Mr. *Jeremiah Dummer* in *London*, Agent for this Province, in Consideration of his past good Services.

Sent up for Concurrence.

But before the said Resolve was sent up,

A Motion was made, and the Question put, That it should be inserted therein, *in full* for his past Services? And it pass'd in the Negative.

Resolved, That the Sum of *Thirty Pounds* be further allowed and paid out of the Publick Treasury to Mr. *John White*, Clerk of this House for his Service in the Year Currant. Sent up for Concurrence.

Resolved, That the Sum of *Twenty Pounds* be allowed and paid out of the Publick Treasury to Mr. *John Flagg*, Door-keeper to His Excellency the Governour, the Honourable Council, and this House, for his Service half a Year, ending the 26th Currant, and the further Sum of *Fifty Three Shillings*, for the Care & Charge upon the Clocks belonging to the Court. Sent up for Concurrence. [55]

An Engross'd Bill, Intituled, *An Act for the Making and Emitting the Sum of One Hundred Thousand Pounds, in Bills of Credit on this Province, in such Manner as in the said Act is hereafter expressed.* Read and Pass'd to be Enacted.

Sent up for Concurrence.

An Accompt of Writing done for this House by Mr. *Joseph Marion*, amounting to the Sum of *l.* 8 9 *s.* 6 *d.* Presented to the House for Payment, Read and

Resolved, That the Sum of *Eight Pounds*, *Nine Shillings*, and *Six Pence*, be allowed and paid out of the Publick Treasury to Mr. *Joseph Marion*, to Discharge the said Accompt. Sent up for Concurrence.

An Accompt of Writing done for this House by Mr. *Benjamin Rolf*, amounting to the Sum of *Two Pounds*, *Seventeen Shillings*, Presented to the House for Payment. Read and

Resolved, That the Sum of *Two Pounds* and *Seventeen Shillings*, be allowed and paid out of the Publick Treasury to Mr. *Benjamin Rolf*, to discharge the said Accompt. Sent up for Concurrence.

Ordered, That *Elisha Cooke*, and *Thomas Newton* Esqs; be a Committee to prepare a Form of a Mortgage, proper for the Letting out the *Hundred Thousand Pounds* of Bills upon, pursuant to an Act passed by this Court, this Session, and to obtain a sufficient Number of them for the occasion, Printed at the Publick Charge, and sent to the several Counties. Sent up for Concurrence.

3. Post Meridiem.

A Memorial of *Paul Dudley* Esq; Attorney General, presented to the House and Read, Shewing, That it is Three Years since he had any consideration for his Service in that Office, and moving that allowance may now be made.

And the Question being put, *Whether any Sum be Granted in Answer thereto?*

It pass'd in the Negative.

Resolved, That the Sum of *Thirty* & *Three Pounds* be allowed and paid out of the Publick Treasury to the Executors of the last Will and Testament of *Peter Sergeant* Esq; deceased, to purchase the Hangings of Two Rooms, and Two large Looking Glasses, remaining in the House which this Province purchased of them.

Sent up for Concurrence.

The Vote of this House pass'd this Day, for a Committee to prepare a Form of a Mortgage, *&c.* Sent down from the Board, Concurr'd, And that *Paul Dudley* Esq; His Majesty's Attorney General be of the Committee for the Affair above-said. Sent down for Concurrence. Read and Non-Concurr'd.

A Message to His Excellency the Governour by Col. *Basset*, Col. *Thaxter*, and Major *Stoddard*, That the House have no Business lying before them, and desire if it may be, now to rise.

A Message from His Excellency the Governour by *Samuel Sewall*, *Addington*

Davenport, and *Thomas Fitch*, Esqrs; whether he may expect any Answer this Session, to such Paragraphs in his Speech as are not yet answered.

Voted, That a Message be sent up to his Excellency the Governour, That the House have acted so far as they apprehend proper and necessary in that Affair this Session, this Court having lately made an Act for the preservation of the Pine Trees & other Timber. Sent up by Mr. *Cooke*, Capt. *Noyes*, Col. *Thaxter*, Mr. *Anthony Stoddard*, Col. *Goffe*, Col. *Basset*, and Col. *Somersby*.

The Petition of *John How*, upon which the Hon. Board, pass'd a Vote the 24th of the last Month, and this House pass'd a Vote Non-Concurring therewith, *&c.* the 26th of the last Month. Sent down from the Board further pass'd upon, *viz.* In Council, *December* 4. The Question being put, *Whether the Council adhere to their former Vote on this Petition?* It pass'd in the Affirmative.

Sent down for Concurrence.

And the Question being put, *Whether the House adhere to their former Vote?*

It pass'd in the Affirmative.

The Petition of *Joseph Anger*, *&c.* upon which the Hon. Board pass'd a Vote the 26th of last Month. And this House pass'd a Vote Non-Concurring therewith, *&c.* on the 27th of last Month, Sent down from the Board further pass'd upon, *viz.* In Council, *December* 4. The Question being put, *Whether the Council adhere to their former Vote on this Petition?* It pass'd in the Affirmative.

And the Question being put, *Whether this House adhere to their former Vote?*

It pass'd in the Affirmative.

A Message from His Excellency the Governour by *Joseph Lynde* Esq; that this House do now attend him in the Council Chamber.

Mr. Speaker and the House went up, and His Excellency Prorogu'd the Court to *Wednesday* the *Twentieth* Day of *February* next, Ten a Clock in the Forenoon.

BOSTON: Printed & Sold by B. Green. 1716. [56 *blank*, 57]

Anno Regni Regis GEORGII, Magnæ Britanniæ, &c. Tertio.

JOURNAL

Of the HOUSE of Representatives.

At a Great and General Court or Assembly of His Majesty's Province of the Massachusetts-Bay in New-England, begun & held at Boston, upon Wednesday the 30th Day of May, Anno Domini, 1716. And continued by Prorogations to Wednesday the 10th Day of April next after, and then Met.

A Message from His Excellency the Governour by *Eliakim Hutchinson* Esq; That this House forthwith attend him in the Council Chamber.

Mr. Speaker and the House went up accordingly, and His Excellency made a Speech to the Court, and gave a Copy thereof to Mr. Speaker, who with the House returned to their own Chamber.

His Excellency's Speech Read, and is as follows, *viz.*

GENTLEMEN,

AT our last Meeting I was Assured by the Votes of the Lower House, That my Speech should be answered, Paragraph by Paragraph, which not having been as yet comply'd with, I was willing to give you an other Opportunity, that so I might send the Minutes of the Last Sessions to Great Britain *compleat; which I am sure will be very much for the Service of this Country.*

I have promised you my best endeavours to watch against every thing that may be hurtful to this Province, and therefore must acquaint you with a very Momentous Affair; which if we don't quickly arm against, will bring a Swarm of evils upon the Massachusetts, *and must in the end point to its Destruction: I mean the Intolerable Discount upon your Paper Money, which is the more surprizing because these Bills are supported with double their value upon Land Security.*

I own some part of this Community can fence against this evil, and ward it off from themselves, by advancing their Commodities: but the other part must unavoidably suffer. All Rents must fall of consequence, and what will your Ministers do, who are highly Worthy of their Salaries, how heavy will it fall upon them and their Families, when what they are paid in grows Low in Value; and their necessaries for Life are daily advancing?

I do therefore earnestly Recommend this to your serious Consideration, and make no doubt but every Person who is a Lover of his Country, will set his Head at work to

find out some expedient to stop this Deluge; and am sure that they who are so happy to fix their Dam against it, will well deserve the Name of true Patriots.

Gentlemen of the House of Representatives,

I shall conclude by Recommending Unanimity and Dispatch in this Session, because I believe, the Season of the Year will require you to be at home, to attend your own Private Affairs.

3. Post Meridiem.

Ordered, That the House now proceed to a further Consideration of His Excellency's Speech to this Court, at the beginning of the last Sessions.

The said Speech Read, and

Ordered, That *Antony Stoddard* Esq; Mr. *Daniel Rogers*, *Samuel Thaxter*, and *Daniel Parker* Esqrs, and Mr. *Thomas Turner*, be a Committee to consider and report what they think proper for the House further to do thereon.

And then the House Adjourn'd till to Morrow Morning Nine a Clock. [58]

Jovis, 11. Die Aprilis 1717. A. M.

A Petition of 105 Persons Inhabitants of the Towns of *Dorchester*, *Brantrey* and *Milton*, presented to the House and Read, praying that a Hospital for the Entertainment of Infectious Persons may not be Erected on *Squntum Neck* in *Dorchester* aforesaid, as has been proposed in the Report of a Committee, for reasons therein alledg'd.

Ordered, That *Adam Winthrop*, *William Payne*, *Samuel Thaxter*, and *Jonathan Dowse* Esqrs; be a Committee to find out and agree for a more suitable place, for the Building of a Hospital, That it may be Erected with all convenient speed.

Sent up for Concurrence.

Ordered, That *Oliver Noyes*, *Elisha Cooke*, *William Payne*, *Charles Chambers*, and *Samuel Thaxter*, Esqrs; with such as the Honourable Board shall join, be a Committee in the recess of this Court, to consider that part of His Excellency's Speech, which relates to the Discount upon the Bills of Publick Credit; and report such Expedients as they think will be most effectual to preserve and maintain the Credit and Value of the said Bills, at the Sessions in *May* next.

Sent up for Concurrence.

3. Post Meridiem.

Ordered, That Mr. *William Denison* be added to the Committee appointed to consider His Excellency's Speech at the last Sessions, *&c.*

Mr. *Stoddard* from the Committee appointed further to consider His Excel-

lency's Speech at the last Sessions, brought in their Report, which was Read and Accepted by the House, and accordingly,

Ordered, That a Message be sent up to His Excellency the Governour,

That upon a further Consideration of His Excellency's Speech to this Court at the beginning of the last Sessions, the House are humbly of Opinion.

That Considering the low Circumstances of this Province, and the heavy Debts that are upon it; that His Majesty's Subjects here are not able to come into so great a Charge, as the Rebuilding the Fort at *Pemaquid* would be. And that in case of a Rupture, a Fortification there, would be no great security to the Lives and Estates of His Majesty's Subjects here: as our past Experience hath abundantly convinced us, by reason that *Pemaquid* is at so great a distance from our English Settlements. But that at all times what shall be necessary for the Defence and Preservation of the Government here, We, as Good and Loyal Subjects, shall readily and chearfully comply with.

That considering our Constitution, it will not be for His Majesty's Service, nor for the Good and Advantage of His Subjects here, to have fixt and stated Salaries; but that we shall very readily do, according to our Ability, what shall be proper and necessary for the Support of His Majesty's Government over us.

That this Court at their last Session did fully consider of what His Excellency said, relating to the Preservation of the Pine Trees. And were then, and still are, humbly of Opinion, That they are secured, both by a late Law for their Preservation, as well as by the Interest of all with whom they grow; their Value being many times more, when improved for Masts, than in any other way.

A Message from the Board by *Andrew Belcher* and *Adam Winthrop* Esqrs; That the time for which *Ten Soldiers* were Posted at *Northfield*, being Expired, His Excellency and Council on the 13th of *March* last, did upon Application made to them; That there was a necessity of their being further continued, Order their Continuance till this Session; and now Propose it to the House, to consider what is further proper to be done therein.

Voted, That *Ten Soldiers* be allowed and continued in the Publick Pay for the covering and encouraging of the Settlement at the Town of *Northfield*, until the Session of this Court in *May* next. Sent up for Concurrence.

A Petition of *John Pickering* and 217 others, Inhabitants of the Town of *Salem*, presented to the House and Read, praying an Explanation of the Law relating to the Division of Common Lands in Towns.

And the Question being put, *Whether the Prayer of the Petition be Granted?*

It pass'd in the Negative.

And then the House Adjourn'd till to Morrow Morning Nine a Clock. [59]

Veneris 12. Die Aprilis 1717. A. M.

A Bill Intituled, *An Act for the bringing forward all Writts, Pleas, and other Process which were to have been heard and tryed at the General Sessions of the Peace, and Inferiour Court of Common Pleas, respectively, at their Sessions on the first Tuesday of* March, 1716, *unto the Court or General Sessions of the Peace, and Inferiour Court of Common Pleas, to be holden at* Plymouth *on the Third Tuesday of* June 1717. Read Three several Times, and pass'd to be Engross'd.

Sent up for Concurrence.

Inasmuch as His Excellency the Governour, did at the First Opening of the last Sessions, declare that he came with the utmost Resolution, to study the true Interest of this Province, and hath now by his reiterated Promise given us firm Assurance, That he will use his best Endeavours, to watch against any thing that may be hurtful to us. Which Promises and Assurances are very grateful and acceptable to this House.

In Consideration whereof:

Ordered, That the Sum of *Three Hundred Pounds*, be presented and paid out of the Publick Treasury to His Excellency the Governour.

Sent up for Concurrence.

Resolved, That the Select-Men of each Town, whose Valuation of the Estates to be Mortgaged shall be required, pursuant to an Act, Intituled, "*An Act for the* "*making and emitting the Sum of One Hundred Thousand Pounds, in Bills of Credit* "*on this Province, in such Manner as in the said Act is hereafter expressed*, shall before their making such Valuation, be Sworn, That they will faithfully and impartially Certify the Value of such Lands, as shall be from time to time desired of them, according to the best of their Understanding, Skill and Discretion, without any Fraud or Deceit whatsoever; which Oath may be administred by any Justice of the Peace, and by the Town-Clerk, in such Towns where there is no Justice. And the Select-Men are directed to seal up their Valuation, and so deliver it to the Party that desires it. Sent up for Concurrence.

Mr. *Payne* offered to the House, his Accompt of the Charge of sending the Acts for Excise, and for the emitting the Sum of 100000 *l.* pursuant to Order of this House, amounting to the Sum of *Ten Pounds Ten Shillings*, for Allowance and Payment.

Resolved, That the Sum of *Ten Pounds and Ten Shillings*, be allowed and paid out of the Publick Treasury, to Mr. *William Payne*, to discharge the said Accompt. Sent up for Concurrence.

The Bill Intituled, *An Act for the bringing forward all Writts, Pleas, and other Process, which were to have been heard and tryed, at the General Sessions of the Peace, and Inferior Court of Common Pleas respectively, at their Sessions on the first Tuesday of* March, 1716. *Unto the Court of General Sessions of the Peace, and*

Inferior Court of Common Pleas to be holden at Plymouth, *on the third Tuesday of* June, 1717. Sent down from the Board, Concurr'd with some Amendments; which were Read and Agreed to by the House, and sent up.

The Report of the Committee appointed the last Session, to investigate and settle the Bound-Marks between the Towns of *Stow* and *Concord:* Offered to the House and Read, being Sign'd,

Samuel Thaxter,
John Gardner,
Joseph Burnap.

Ordered, That the said Report be accepted, and that the Bounds between the Towns of *Concord* and *Stow*, be, and remain Settled and Established accordingly.

Sent up for Concurrence.

A Message sent up to the Board by *Oliver Noyes* and *Daniel Parker* Esqrs; Desiring that the Business of the Court may be Expedited, that the Session may end as soon as possible.

Who return'd, That His Excellency said, It should be done.

The Report of *John Appleton, Benjamin Lynde,* and *John Burril* Esqrs, a Committee appointed by this Court the Tenth Day of *February*, 1713. to report the most convenient Place for the Erecting a Meeting-House for the Publick Worship of God in the New Precinct, in the North Part of *Reading*. Sent down from the Board, Pass'd on there, *viz.* In Council, *April* 12. 1717. Read and Accepted.

Sent down for Concurrence. Read and Concurr'd.

A Plat of the Lands lying between the Towns of *Lancaster, Sutton, Marlborough, Worcester, Hassanamisco,* and *Brigham's* Farm, taken by *David Haynes* Surveyor; Presented to the House; and a Petition of *Hopestill Brown, Joshua Haynes, John Brigham, Edward Goddard,* and *Abiel Bush;* Presented to the House and Read, Praying, that the said Lands may be Granted to them and their Associates, and be constituted a Township. And a Petition of *Peter Smith, John Smith, Ann Williams,* and *Alice Smith,* the Children and Heirs of *John Smith* Deceas'd, by *Wigglesworth Sweetser* their Attorney, Presented to the House and Read, Praying, That a full and effectual Saving may be made for their Right and Interest in Lands contained in the said Plat, if this Court shall see meet to Grant a Township there. [60]

Ordered, That the said Petitions and Plat, be referred to the Session of this Court in *May* next, for further Consideration.

3. Post Meridiem.

An Engross'd Bill, Intituled, *An Act for bringing forward all Writts, Pleas & other Process, which were to have been heard and tryed, at the General Sessions of the Peace and Inferiour Court of Common Pleas respectively at their Sessions on the first*

Tuesday of March 1716. *Unto the Court of General Sessions of the Peace and Inferiour Court of Common Pleas to be holden at* Plymouth, *on the third Tuesday of* June, 1717. Read, and pass'd to be Enacted.

The Resolve of this House pass'd this Day, for Select-Men to be under Oath, &c. Sent down from the Board, Concurr'd with an Amendment; which was Read, but not Agreed; and sent up again.

A Message from His Excellency the Governour, by *Adam Winthrop* Esq; That this House forthwith attend him in the Council Chamber.

Mr. Speaker and the House went up accordingly; and His Excellency spake to the Court as follows, *viz.*

GENTLEMEN,

I *Am glad my Assurances and Promises to do my utmost to serve this Province, have been Acceptable; and I do again repeat 'em.*

I thank you for what was done towards my Support in the last Sessions, and for the Present you have now made me, which will help in defraying the Charge of my Transportation.

The Business of the Sessions being ended, the Annual Election approaching, and the Season of the Year advancing; I believe every Body, will be willing to be at home: I therefore Dismiss and Dissolve *this Assembly; and hope upon your Return to your respective Counties, you will endeavour to do every thing, that may be for His Majesty's Service and the Good of your Country.*

BOSTON: Printed & Sold by B. Green. 1717.

A
SPEECH

Made unto His EXCELLENCY,

Samuel Shute, Esq;

Captain General and GOVERNOUR in Chief, in and over the Province of the *Massachusetts-Bay* in *New-England.*

By the REVEREND,

DR. Cotton Mather.

Attended with the MINISTERS of the Massachusetts-Province,

New-England, May 30. 1717.

SINCE Your EXCELLENCYS Happy Arrival to us, This is the First Opportunity of an Annual and General CONVENTION, which the Ministers of the Gospel in this Province could Enjoy, to Express our grateful Sense of the Happiness, which we have therein received.

An Happiness whereinto we have been indeed most agreeably Surprized, by the Providence of our Glorious LORD, who has with most Remarkable Circumstances herein testified His Tender Care of His Flocks in the Wilderness.

But this Delay of a Duty, whereto we had the most Early as well as the most Hearty Dispositions, has only Enabled us now to Speak with Experience, what we could before have Spoken only with Expectation; and to say, *The One Half has not been told us.*

Your EXCELLENCY having honourably spent your Younger Years in the Armies which bravely fought for the Glorious Cause of Rescuing the Liberties of *Europe* and of Mankind, from the Chains which the most famous of all Tyrants designed for them, does not now wear your Laurels in an Unserviceable Retirement; But you have been generously Willing to devote your later Years, to the Publick Service in a Care for the Good of Others. And our Gracious GOD has ordered it, that This His People shall have the Felicity of being made the Objects, whom your Care shall be employed upon.

—— *Fælices nimium sua si bona norint.*

Most Refreshing, Most Obliging, have been the Rays of the Royal Favour, which the Best of Kings, our most Rightful and Lawful King GEORGE, has darted upon His most Loyal Subjects in these Plantations.

But with none have we been more affected, than with what His Great Wisdom and Goodness has done, in the Grant of His Royal Commission unto your EXCELLENCY, to become our Captain-General and Governour. A GOVERNOUR in whom we shall have a bright Image of His Own Royal Vertues, and shall see a Steady pursuit of His Interests and Intentions. [2]

Your EXCELLENCY has now the Government of a People, whom we can Recommend unto your most favourable Aspect under many considerations. But there is One Recommendation too Endearing to be left unmentioned; which is, That we know not of so much as One Man in all our Churches who is not Sincerely and Zealously affected unto His Majesty, and the Illustrious House of *Hanover*.

And indeed, What other can be Expected from Churches, which have the True Protestant Religion in the proper Points of it, whereof GOD has made our King such a Glorious Defender, So Entirely Embraced, so constantly Maintained, and after such an Exemplary manner flourishing in them!

While our Churches are not built on any Foundations, but the Maxims of the Everlasting Gospel Plainly Exhibited in the SACRED SCRIPTURES, and know no Terms of Communion, but the Indisputable Points of that Solid PIETY, wherein all Good Men are United, We assure our selves, That your Excellency, who have no Partiality for Little Parties in Religion, will count them worthy of your Protection, and will commend them unto the Royal Favour on all Occasions.

The Ministers of the Gospel, whose whole Business it is, to instil the Principles of Piety, of Honesty, of Charity, and of Loyalty into their People, are deeply sensible of the Obligations they have unto your Excellency, in that they feel the Effects of your Concern to have them duely Encouraged in faithfully prosecuting the Glorious ENDS of their Ministry.

And we promise our selves, that while your Incomparable BROTHER is a Patron of so much consequence unto our United Brethren on the other side of the *Atlantick*, Your EXCELLENCY will vouchsafe us our part in your most auspicious Patronage.

We shall make it our Prayer to our GOD, that He who formerly carried you thro' the Hardships and Hazards of the Camp, and Covered your Head in the Days of Battel, will now grant you all the Quiet and Comfort of an Easy Government; and at Last the Endless Joy, which will be the End of a Faithful Stewardship.

His Excellency's ANSWER.

Gentlemen,

I *Take this Address very kindly, and especially because it comes from a Great and Good Body of Men for whom I have always had a great Esteem, and this will increase it. You may be always assur'd of My Friendship and Protection, and I shall take Care that the KING My Master may be Acquainted how Entirely Loyal the Ministers of the Gospel in* New-England *are, and how deserving of His Majesty's favours.*

BOSTON: Printed and sold by B. Green in Newbury-Street. 1717.

Anno Regni Regis GEORGII, nunc Magnæ Britanniæ, &c. Tertio.

JOURNAL

Of the HOUSE of Representatives.

At a Great and General Court or Assembly of His Majesty's Province of the Massachusetts-Bay in New-England, begun & held at Boston, upon Wednesday the 29th Day of May, Anno Domini, 1717.

ELiakim Hutchinson & Edward Bromfield Esqrs; came down from the Council Chamber, and acquainted the House, That they were Appointed and Authorized by His Excellency the Governour, that this House should take the Oaths, Make, Repeat and Subscribe the Declaration, Take and Subscribe the Oath of Abjuration (as by the Royal Charter of this Province is directed) before them; which being done by all the Members present, they withdrew.

The Names of the Persons Returned to Serve for, and Represent the several Towns, are as follows, *Viz.*

Boston, { Edw. Hutchinson Esq; Capt. Jos. Wadsworth Mr. Isaiah Toy Capt Habijah Savage
Roxbury, William Denison Esq;
Dorchester, Mr. Hopestil Clap
Hingham, Samuel Thaxter Esq;
Brantrey, Maj. John Quincey
Dedham, Mr. John Fuller
Medfield, Mr. Henry Adams
Weymouth, Capt. John Hunt
Milton, Mr. John Wadsworth
Wrentham, Mr. Ebenezer Fisher
Mendon, Josiah Chapin Esq;
Brooklin, Mr. Josiah Winchester
Woodstock, John Chandler, Esq;
Needham, ———
Salem, { Mr. Timothy Lindal Capt. Peter Osgood
Ipswich { John Dennison Esq; Mr. John Appleton
Lynn, John Burril Esq; *Speaker*
Newbury, { Lt. C. Hen. Somersby Mr. James Noyes
Marblehead, Mr. Rich. Trivet
Andover, Mr. Nehemiah Abbot
Beverly, Capt. Joseph Herrick
Rowley, Capt. Ezekiel Northen
Salisbury, Mr. William True
Haverhill, Mr. Amos Singleterry
Glocester, John Newman Esq;
Topsfield, Mr. Samuel Howlet
Boxford, Mr. Joseph Hale
Wenham, Mr. William Rogers
Amesbury, Capt. John Foot
Bradford, Mr. Tho. Kemball
Manchester, ———
Charlstown, { Cha. Chambers Esq; Jona. Dows Esq;
Cambridge, Jona. Remington Esq;
Watertown, Capt. Benj. Gearfield
Concord, Mr. William Wilson
Woburn, Mr. John Peirce
Reading, Mr. Joshua Eaton
Sudbury, Capt. Hopestil Brown
Marlborough, Thomas How Esq;
Newton, Mr. John Ward
Maldon, Mr. John Greenland
Chelmesford, Mr. Stephen Peirce
Billerica, Mr. George Browne
Sherburn, Mr. Wil. Rider
Groton, Mr. John Shepley
Lancaster, Mr. John Houghton
Framingham, Mr. J. Hemmenway
Medford, ———
Lexington, Capt. William Reed
Weston, Capt. Fran. Fullam
Stow, ———
Springfield, Mr. Joseph Stebbins
Northampton, Jos. Parsons Esq;
Hadley, Samuel Porter Esq;
Hatfield, Mr. John Dickinson
Southfield, Mr. Jacob Adams
Westfield, Mr. Jos. Mandsley
Enfield, Capt. Samuel Terry
Deerfield, Mr. Thomas Wells
Plymouth, Isaac Lothrop Esq;
Situate, Mr. Thomas Turner
Bridgewater, Capt. John Field
Marshfield, Mr. Anthony Eames
Duxbury, Lieut. Tho. Loring
Rochester, Samuel Prince Esq;
Pembrook, ———
Plimpton, Capt. Wil. Shurtlef
Middleborough, Mr. Mala. Holloway
Barnstable, Mr. John Bacon
Eastham, Mr. John Payne
Sandwich, Mr. Samuel Jennings
Yarmouth, Mr. Zech. Paddock *jun.*
Harwich, Mr. Chillings W. Foster
Truro, Mr. Thomas Payne
Bristol, Capt. Samuel Gallop
Taunton, Henry Hodges Esq;
Dartmouth, Mr. Jona. Delano
Rehoboth, Mr. Natha. Brown
Little Comp. Capt. W. Southworth
Swanney, John Rogers Esq;
Tverton, Mr. Gershom Woodell
Attleborough, Mr. David Freeman
Dighton, Mr. Benjamin Jones
Norton, ———
Freetown, ———
York, Capt. Lewis Bane
Kittery, Mr. Joseph Hammond
Wells, Mr. William Sawyer
Berwick, Capt. Samuel Plaisted
Edgartown, *Chilmark*, & *Tisbury*, } Benj. Skiff Esq;
Nantucket, Mr. Joseph Coffin.

The House proceeded to bring in their Votes for a Speaker, which being Examined, it was found that *John Burril* Esq; was chosen by a major part of the House. He was accordingly Conducted to the Chair.

The House brought in their Votes for a Clerk, which being Examined, it was found that Mr. *John White* was chosed by a major part of the House, and was accordingly sent for to the House.

3 Post Meridiem.

A Message sent up to the Board, by *Edward Hutchinson*, Esq; and Capt. *Habijah Savage*, and Mr. *Joseph Wadsworth*, to report to his Excellency the Governuor, the Choice the House had made of a Speaker.

A Message from the Board, by *John Higginson*, and *Isaac Winslow* Esqrs, That his Excellency Accepts well the Choice, and desires the House to proceed to the Business, as expeditiously as may be. [2]

The House then prepared their Votes for Eighteen Counsellors, for the late Colony of the *Massachusetts-Bay*.

Ordered, That *Edward Hutchinson* Esq; Mr. *Timothy Lindall*, *William Denison* Esq; Col. *Henry Somersby*, and *Charles Chambers* Esq; be a Committee to carry up the Votes of this House for Councellors, and assist in Sorting and Numbering them, together with the Votes of the Board, and report to the House the Elections that shall be made.

The said Committee carryed up the Votes of the House, for Councellors in the late Colony of the *Massachusetts-Bay*, until that Eighteen were chosen by a major part of the Voters.

Then for the late Colony of *New-Plymouth*, and return'd, that Four were chosen as aforesaid.

Then for the late Province of *Main*, and returned, that Three were chosen as aforesaid.

Then for the Territory between *Sagadehoc* and *Nova Scotia*, and returned, that One was chosen as aforesaid.

And lastly for Persons dwelling in any part of the Province, and returned, that Two were chosen as aforesaid.

And reported the Names of the Persons chosen to be as follows, *viz.*

Of the Inhabitants or Proprietors of Lands in the Territory formerly called the *Massachusetts-Bay*.

The Honourable *William Dummer*, Esq;	*Wait Winthrop* Esq;	*Elisha Hutchinson* Esq;
Samuel Sewall Esq;	*Penn Townsend* Esq;	*John Appleton* Esq;
John Higginson Esq;	*Andrew Belcher* Esq;	*Edward Bromfield* Esq;
Thomas Noyes Esq;	*William Tailer* Esq;	*Nathanael Norden* Esq;
Benjamin Lynde Esq;	*Addington Davenport* Esq;	*John Clark* Esq;
Thomas Hutchinson Esq;	*Samuel Brown* Esq;	*Thomas Fitch* Esq;

Of the Inhabitants or Proprietors of Land within the Territory formerly called *New-Plymouth*, viz.

Nathanel Byfield Esq; *Isaac Winslow* Esq; *John Cushing* Esq; *John Otis* Esq;

Of the Inhabitants or Proprietors of Lands within the Territory formerly called the Province of *Maine*, viz.

Eliakim Hutchinson Esq; *John Wheelwright* Esq; *Adam Winthrop* Esq;

Of the Inhabitants or Proprietors of Lands lying within the Territorys between *Sagadehoc* and *Nova Scotia*, viz.

Elisha Cooke Esq;

Of the Inhabitants or Proprietors of Lands in any part of the Province.

Nathanael Paine Esq; *Edmund Quincey* Esq;

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Jovis 30. Die Maii, 1717. A. M.

Ordered, That *Edward Huthinson*, *Charles Chambers*, *Jonathan Remington*, Esqrs, Col. *Henry Somersby*, and Capt. *Peter Osgood* wait on His Excellency the Governour, with the above-written List of the Counsellors or Assistants newly chosen for the Year ensuing, for His Excellency's Approbation of the Persons therein named, to be given in Writing under his Hand.

The usual Orders of the House Read, and Ordered to be the Orders of the House during the Sessions thereof.

Ordered, That Capt. *Chapin*, Mr. *Wilson*, and Capt. *Northen*, be Monitors of the House, to take care that the Orders thereof be duly observed.

The House proceeded to Examine the Returns of the Precepts, made from the several Towns, of the Choice of their Representatives.

And pass'd thro' the same.

Samuel Sewall, *Penn Townsend*, *John Appleton*, and *Addington Davenport*, Esqrs, brought down the List of Counsellors. Sent up this Day; there being entered thereon as follows, *viz.*

The within Election were duely made by the Council and the Representatives, May 30. 1717. Joseph Marion, *Dep. Secr.*

And by His Excellency the Governour,

I Consent to this Election of Counsellors. Given under my Hand, the 30th Day of May, 1717. SAMUEL SHUTE.

Ordered, That Col. *Thaxter*, Mr. *Remington*, and Mr. *Fullam*, be a Committee to consider the Subject Matter, and Examine the Allegations of the Petitions that shall be presented to the House, and report their Opinion thereon, as they shall be committed to them.

Ordered, That Mr. *Toy*, and Mr. *Joseph Wadsworth*, return the Thanks of this

House to the Reverend Mr. *Rowland Cotton*, for his Sermon Preached before his Excellency the Governour and this Court, in the Publick Auditory Yesterday, and desire a Copy thereof for the Press.

A Petition of *John Bradford*, *Jacob Cooke*, and Thirty-nine others, Inhabitants of that part of the Town of *Plymouth* near *Jones's River*, of the Inhabitants of the North East part of *Plympton*, and of the South East part of the Town of *Pembrook;* Presented to the House and Read, Praying, That a Tract of Land in which they dwell, and whereof they exhibited a Plat, may be Erected into a Township or Precinct, for their more convenient attending to, and carrying on of the Publick Worship of God. [3]

A Message from His Excellency the Governour, by *Nathanael Pain*, and *John Cushing* Esqrs, That this House do attend him in the Council Chamber immediately.

Mr. Speaker and the House went up accordingly, and His Excellency made a Speech to the Court; whereof Mr. Speaker obtained a Copy, and with the House returned to their own Chamber.

His Excellency's Speech Read, and is as follows, *viz.*

Gentlemen,

WE are now by the favour of GOD arrived to your Anniversary Court of Election, which I perswade my Self is so much the pleasanter to you, by the removal of some fears that you may have lately had of being deprived of so valuable a Privilege. GOD Almighty long continue your Religious and Civil Rights and Liberties; with Wisdom so to improve them, that they may never be forfeited. And I assure you Gentlemen as on my part, that nothing shall be wanting, so I shall always be pleas'd with Opportunities and Occasions, to secure & advance, your best Interest. And therefore if any thing this Sessions may be thought of for the further Service of your Religion, Learning, the Peace and Prosperity of the Province in General, the advancement of your Trade & Manufactures in special, I shall most sincerely and affectionately come into it, and the rather, because I am so commanded by Instructions from His Most Excellent Majesty, of whose gracious Protection & Favour I may adventure to give you the utmost Assurance.

You cannot have forgot that upon my Arrival, I Congratulated you, upon His Majesty's happy deliverance from an unnatural Rebellion at Home, I must now give you Joy upon a like gracious and wonderful deliverance from an Intended Invasion from Abroad; And which, I hope, will be the last Effort of Wicked and Unreasonable Men against Our Most Rightful, Gracious, Soveraign Lord, the KING, and His Illustrious Family, as also against His Most Wise, Just and Happy Government.

I am also very glad to acquaint you that by Letters from Our Agent, and Others, we have great reason to hope that the Parliament of Great Britain *are Inclinable, and have it actually under consideration, how that part of the Trade of this Country which consists of Masts, Boards, Hemp, with other Naval Stores, may be encouraged, and*

rather at this present Juncture, by reason of the Unjust & Surprizing Intended Invasion from Sweden, *which we have lately had the News of. Upon which occasion you will do well to consider what may be done by the Government here as to that Matter, It being as well for the Service of His Majesty's Navy at Home as the great advancement of Our Interest here.*

It was but the Last Sessions that I mentioned the keeping up of the Credit of your Publick Bills; and yet, I cannot forbear repeating it now again to you, it being a Matter of so great an Importance to the Province.

Gentlemen of the House of Representatives,

The Support of the Government in all the Branches of it, being a Matter that more particularly belongs to and of right begins with you: I must recommend that in an especial Manner to your thought & care, not doubting but that you will always make the proper & necessary Provision, and do it with so much Honour & Justice, as that there may be no reason to complain. It also appertains to you with great Care & Justice to examine into all the Publick Debts that are due & owing from the Province, and see that they be well & seasonably discharged. And tho' it be a time of Peace with respect to our Neighbours the French & Indians, yet, considering the uncertainty of its continuance, and the Annoyance we have lately had from the worst of Enemy's the Pirates that have lately insulted our Coast, you will be of Opinion with me, that it will be very proper & necessary to put such Fortifications as we have yet remaining into some good posture of Defence: And also to have some Effectual Provision in readiness to Secure our Sea Coast and Trading Places, from such Danger & Violence by the way of the Sea.

Gentlemen,

I think I have nothing farther in particular to recommend to you, but that you will apply your Selves to the business of this Sessions with great calmness & moderation, diligence & unanimity and a single aim at the Publick Good, and give every thing the proper Dispatch, that so you may the sooner return to your own private and necessary Affairs.

3 Post Meridiem.

Ordered, That *Edward Hutchison*, *Samuel Thaxter* Esqrs; Capt. *Habijah Savage*, *Charles Chambers*, *William Denison*, *Jonathan Remington* Esqrs; Mr. *Thomas Turner*, and Mr. *Timothy Lindal*, or the major part of them, with such as the Honourable Board shall Nominate, be a Committee to receive of the Treasurer such Bills of Publick Credit in his keeping, as are Torn, Defaced or unfit for further Service; Take an Account of the Number of each of the sorts of the said Bills, and the Sum the whole amounts to, and give the Treasurer receipt for them, and Burn the said Bills to Ashes, and make report of their doings to this Court, their receipt, to be a Discharge to the Treasurer, equal to what the said Bills would have been, if they had continued in his Hands. Sent up for Concurrence.

A Petition of *Robert Spur*, *Standfast Foster*, and Seventy-five others, Inhabitants of the Town of *Dorchester;* Presented to the House and Read, Praying, That the Proceedings at the Town-Meeting in the said Town in March last, may be declared null, because the Meeting was not Legally warned.

A Memorial of *Nathanael Glover*, *John Blake*, and *Hopestill Humphry*, Select-Men of *Dorchester*.

And a Petition of *Samuel Topliff*, *Samuel Capen*, and Seventy-five others of the said Town; Presented to the House and Read, Moving, That the Proceedings at the said Town-Meeting may be confirmed.

Ordered, That a Hearing be granted on the said Petitions before this Court, on the 7th Day of *June* next, and that *Robert Spur* Esq; *&c.* the aforenamed Petitioners, serve the Adverse Party with a Copy of this Petition and Order.

Sent up for Concurrence.

A Petition of *Thomas Knolton*, and *Jeremiah Buckman* of *Ipswich;* Presented to the House and Read, Praying, That they may belong to the Precinct called the *Hamlet*, and not to *Chebacco*, for Reasons they mention. Committed.

A Petition of *James Maxwell*, late Door-Keeper to this Court; Presented to the House and Read, Shewing, That he is now reduc'd to indigent Circumstances, and by reason of his Age, unable to get a Livelihood. Praying that an Annual Pension may be granted him for his Relief. [4]

The Question being put, *Whether the Prayer of the said Petition be Granted?*

It pass'd in the Negative.

Ordered, That Capt. *Savage*, Col. *Thaxter*, Col. *Somersby*, Capt. *Osgood*, Mr. *Remington*, Capt. *Fullam*, Capt. *Parsons*, Mr. *Lothrop*, Mr. *Bacon*, Capt. *Southworth*, Mr. *Hammond*, and Maj. *Skiffe*, be a Committee to inspect the Lists of Estates and Assessments, return'd into this House from the several Towns of this Province the last Year, and to get all other the best Information they can, and Proportion the several Towns to the Sum of *One Thousand Pounds*, according to their best Understanding and Judgment; and lay the same before the House, as soon as conveniently may be.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Veneris 31. Die Maii. 1717. A. M.

HIs Excellency the Governours Speech Read again.

A Plat of the Land lying between the Towns of *Lancaster*, *Sutton*, *Marlborough*, *Worcester*, and *Bridghams Farm*, Taken by *David Haynes* Surveyor, and Chain-men under Oath, pursuant to an order of this Court, pass'd the 23d of *November* last, in answer to the Petition of *John Brigham* and Thirty others; Presented to the House, with a Petition of *John Brigham* and Four others, which was Read, Praying, that the Land contained in the said Plat may be Erected into a

Township, and Granted to them and their Associates, agreeable to their former Petition.

The Petition of *Isaac Amsden*, and Sixty-six others, Inhabitants of the Westerly Part of *Marlborough;* Praying as entred the 9th of *November* last. Sent for from the Board, and Read again.

Ordered, That *Samuel Thaxter*, *John Chandler*, and *Jonathan Remington* Esqrs, be a Committee to go upon the Land Petitioned for, and view the Situation and Quality thereof, and inform themselves of the Circumstances of the Petitioners, that desire the Grant of the Land for a Township, whether they, and such as join with them, are a competent Number, and such as are likely by themselves or Dependants, to make a good and speedy Settlement thereon. And whether, if the Petition of the Inhabitants of the Westerly Part of *Marlborough* for a Part of the said Land be granted, the Remainder of the Tract will not be thereby Disadvantaged for a Township: And make Report to this Court.

Sent up for Concurrence.

Ordered, That the Votes of this House be Printed Twice a Week.

The Petition of *John Bradford*, *Jacob Cook*, &c. Praying as entered Yesterday. Read again. In Answer to the said Petition,

Ordered, That Capt. *Henry Hodges*, Col. *William Basset*, and Capt. *William Southworth*, be a Committee to go upon the Place, view and consider the Situation and Circumstances of the Petitioners, and the Tract of Land which they desire should be made a Township or Precinct, and report their Opinion to this Court, whether it is reasonable the Prayer of the Petition should be granted. The Charge of the Committee to be born by the Petitioners. Sent up for Concurrence.

3 Post Meridiem.

A Petition of *Ephraim Curtis* of *Sudbury;* Presented to the House and Read, Praying, That a Grant of 250 Acres of Land, made by the General Court in the Year 1674, to *Ephraim Curtis* (under whom he claims) to be laid out near the Town of *Worcester*, in lieu of the Land formerly granted to Mr. *John Norton*, may be Confirmed to him. Committed.

A Petition of the Select-Men of the Town of *Falmouth;* Presented to the House and Read, Praying Assistance in the Maintenance of their Minister.

In Consideration of the low Circumstances of the Minister of the said Town, and that the Town are now about the Good Work of Building a new Meeting-House, and so less able to inlarge his Salary.

Resolved, That the Sum of *Twenty Pounds*, be allowed and paid out of the Publick Treasury for this Time, towards the Maintenance of the said Minister, over & above what the Town give him. Sent up for Concurrence.

And then the House Adjourn'd till to [Morrow] Morning Nine a Clock.

Sabbati Die Junii 1. 1717 A. M.

MR. Speaker laid before the House a Letter from Mr. Agent *Dummer*, Dated the 27th of *March*, 1717. Which was Read and sent up.

A Petition of *Robert Devereux* of *Marblehead;* Presented to the House and Read, Praying, That he may be enabled to retain the Possession and Right of the whole of a Farm in the said Town, whereof *John Devereux* hath recovered by the Law, one Sixth Part from him, he paying to him the Value of the said Sixth Part in Money, for Reasons in the said Petition assign'd. Sent up.

A Petition of *Ephraim Fenno* of *Boston*, and *Elizabeth* his Wife, Presented to the House and Read, Praying, That they may be admitted to the Redemption of an Estate, that ought to Descend to them as they are Heirs to *Nathanael Barnes*, who died beyond Sea, and the time for the Redemption of the Estate Laps'd, The Estate having been Mortgaged to *Thomas Downs*, and the Mortgage Sued out.

Committed.

A Petition of *William Rider* Representative of the Town of *Sherbourn*, Presented to the House & Read, Praying, That 3000 Acres of Land may be Granted to the said Town, to be laid out Contiguous to the 4000 Acres lately granted to them in lieu of 17 Families set off from the said Town to the Town of *Framingham*, for reasons therein alledged.

A Petition of the Select-men of the Town of *Topsfield*, Presented to the House & Read, Praying this Court to send a Surveyor to run the Line between the said Town, and the Towns of *Rowley* & *Boxford*, which they think has never yet been done.

And the question being put, Whether the prayer of the Petition be Granted?

It pass'd in the Negative.

The Petition of *Ephraim Curtis*, praying as entred Yesterday, return'd by the Committee, with their Report thereon, which was Read & Accepted by the House, and the following Vote pass'd accordingly, *viz.*

Ordered, That the Petitioner have liberty to Imploy a Skilful Surveyor, and Chain-men under Oath, to take a Plat of the Land he Petition's for agreeable to his Grant, and lay it before this Court at their next Session.

Sent up for Concurrence.

The following Vote sent down from the Board, *viz.* In Council, *June* 1. 1717.

Ordered, That the Honourable *Samuel Sewall*, *Andrew Belcher*, *Addington Davenport*, *Adam Winthrop*, & *Elisha Cooke*, Esqrs; with such as the House of Representatives shall Nominate, be a Committee to Consider the Representations & Complaints against this Government mentioned in Mr. Agent *Dummer's* Letter, and make Report thereon. Sent down for Concurrence.

Read & Concurr'd:

And *Charles Chambers*, *Samuel Thaxter*, *Jonathan Remington*, *Edward Hutchinson*, Esqrs; Capt. *Habijah Savage*, and Capt. *Francis Fullam* are joyned in the affair.

And then the House Adjourn'd till Tuesday next Nine a Clock in the Morning.

BOSTON: Printed & Sold by B. Green. 1717. [5]

Province of the Massachusetts-Bay.

VOTES

of the House of Representatives.

Martis 4. Die Junii, 1717. A. M.

A Petition of *Samuel Peck* of *Rehoboth*, in behalf of the Congregation at *Palmer's River* in the said Town; Presented to the House and Read, Shewing, That the Two Congregations in the said Town, agreed to raise on the said Town, 250 *l.* 200 *l.* thereof to be toward Building of a Meeting House in the West part of the said Town, and 50 *l.* towards finishing the Meeting House at *Palmer's River*, or the East part of the said Town. But altho' the said Sum of 250 *l.* has been Assest upon the Town, the Congregation at *Palmer's River*, cannot obtain the 50 *l.* due to them as their Proportion; Praying this Court to order Justice to be done them.

The Representetive of the Town of Rehoboth, *who belongs to the West part of the Town, acknowledging that the Allegations in the Petition are true, and said that according to the agreement of the Two Congregations, the Sum of* 50 *l. as set forth in the Petition, ought to be delivered to the Congregation at* Palmer's River, *for finishing their Meeting House.*

Voted, That the Select-Men of the said Town be directed to call a Town-Meeting, and propose to them. And the said Town is hereby Advised, To pass a Vote, that *Fifty Pounds* of the said *Two Hundred and Fifty Pounds*, be paid to the Congregation at *Palmer's River*, for the use it was intended in the first raising the same. Sent up for Concurrence.

A Petition of *Hannah Simpson* of *Boston* Widow, Relict and Executrix of *Joseph Simpson* late of *Boston* Deceas'd; Presented to the House and Read, Praying, That she may be enabled to Sell a Tract of Land, of about Thirteen Acres, lying in the Town of *Dorchester*, that was her said late Husbands, for the paying of Legacies, and the repairing her Dwelling House now scarce Tenantable.

Committed.

Ordered, That *Charles Chambers*, *Samuel Thaxter*, *Jonathan Remington*, *Edward Hutchinson* Esqrs, Capt. *Habijah Savage*, and Capt. *Francis Fullam*, with such as the Honourable Board shall Nominate, be a Committee to prepare and lay before this Court a Draught of an Humble Address to His Majesty, proper at this time to proceed from this Court. Sent up for Concurrence.

A Message from the Board by *Andrew Belcher* and *Thomas Hutchinson* Esqrs, That since the last Sessions of this Court, the Coast having been infested with Pirates, the Government Equipt, Man'd and sent forth a Sloop for the Security of the Navigation, and gave *Twenty Shillings per* Man to such as Listed Volun-

tarily in that Service; which Sloop having been a Cruise is return'd, and is now waiting to be paid off: And they proposed, That the Captain should be paid *Seven Shillings per Diem*, the Lieutenant *Three Shillings and six Pence per Diem*, the Warrant Officers *Two Shillings and six Pence per Diem*, the Mariners *Eighteen Pence per Diem*, the Vessel *Seven Shillings per* Ton *per* Month: And that the Sloop with a suitable Number of Men, be continued in the Service for the Defence of the Coast, until His Majesty's Ship expected for this Station shall arrive.

Voted, That the above-mentioned Proposals be accepted and complyed with, saving, that the Vessel be continued in Pay, until the next Sessions of this Court only, if the Government shall see Occasion for it so long.

And for the further Encouragement of this Service.

Resolved, That there be allowed and paid out of the Publick Treasury to the Officers and Company of any Vessel taken up, and sent forth by this Government, between this and the next Sessions of this Court, *Five Pounds* for every Pirate they shall Kill or Take, and *Ten Pounds* for each Great Gun they shall take in any Pirate's Vessel, mounted at the Time of Caption. The said Præmium to be divided in the following Proportions. *viz.* Three Shares to the Captain, Two Shares to the Lieutenant, a Share and Half to each Warrant Officer, and a Single Share to each Foremast-Man, or Mariner. Sent up for Concurrence.

A Petition of *John Usher* Esq; Brought down from the Board by *Elisha Hutchinson*, *Samuel Sewall*, *Eliakim Hutchinson*, and *Andrew Belcher* Esqrs; with a Message, That the Service which the Petitioner mentions in his Petition of Purchasing the Province of *Maine* for the Massachusetts-Colony, the Board esteem Considerable, and Recommend to the House for Reward. [6]

A Petition of *Samuel Peters* of *Andover*, praying the Confirmation of his Title to a Tract of Land of 200 Acres lying on the North Side of Marrimack River to the Northward of Major *Denison's* Farm; sent down from the Board, having been Read there the 30th of *May* last.

And the Question being put, *Whether the prayer of the said Petition be Granted?* It pass'd in the Negative.

The Petition of *John Usher* Esq; Treasurer of the late Territory of *New-England*, Praying, That he may be paid the Ballance due to him upon his Accompts in the said Office, or be enabled to Recover and Gather in the Rates yet Outstanding of that Government; And that he may have Consideration for his good Service in Purchasing the Province of *Maine*, *Anno* 1668. for the late Colony of the *Massachusetts-Bay*. Sent down from the Board, Pass'd upon there, *viz. June* 4th. 1717. Read and Sent down. Recommended as to the Petitioners Service in Assisting in the Purchase of the Province of *Maine*.

The Question being put, *Whether the prayer of the said Petition be Granted?* It Pass'd in the Negative.

Ordered, That Capt. *Chandler*, Mr. *Turner*, and Mr. *Porter*, be a Committee to

Examine what Acts are Expired, or near Expiring, that ought to Revived, and Continued; and Prepare and lay before the House a Bill, or Bills for that end. And a Bill for the more effectual Destruction of Wolves and unruly Dogs.

Ordered, That Maj. *Noyce*, and Mr. *Lindal*, be of the Committee, for Proportioning the Towns to a Tax of *l.* 1000. in the Place of Col. *Somersby*, and Capt. *Osgood*, who are absent.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Mercurii 5. Die Junii 1717. A. M.

A Petition of *Jonathan Remington* Esq; Representative of the Town of *Cambridge*, Presented to the House and Read, Praying, That the Office for Registring Deeds and Conveyances of Lands for the County of *Middlesex*, may be opened and kept in the said Town, as the Law Directs, it being the Shire Town of the said County.

Upon a Motion being made by the Representatives of the Town of *Charlestown*, who Assert their said Town to be the Shire Town of the County.

Ordered, That they receive a Copy of this Petition. And that they may be heard before this Court, in answer thereto on Wednesday next.

Sent up for Concurrence.

A Petition of *Joseph Severence* of *Deerfield*, Presented to the House and Read, Praying, That the Sum of *l.* 11 2 *s.* may be allowed him out of the Publick Treasury, which he paid his Surgion, and for Diet, and Lodging, whilest under Cure of a Wound in his Leg, which he received in the Service, *Anno* 1710. And that an Annual Pension for Life may be Settled upon him, having no hopes of being otherwise than a Creeple all his Days. Committed.

Upon a Motion being made:

Ordered, That Mr. *Hutchinson*, and Mr. *John Denison*, be Desired to prepare and lay before the House a Bill in Explanation of the Act which Directs the Coroner to Serve Writs, *&c.*

3 Post Meridiem.

Mr. Treasurer *Allen* was Admitted into the House, and presented his Accompts, and withdrew.

The present State of the Treasury Read.

The General Accompts Read.

Ordered, That Mr. *Hutchinson*, Capt. *Chambers*, Mr. *Joseph Wadsworth*, Capt. *Dowse*, and Mr. *Hammond*, be a Committee to Examine and Audit the Treasurers Accompts, and make Report to the House.

Capt. *Chandler*, from the Committee Appointed, laid before the House the Draughts of several Bills. *viz.*

A Bill Intituled, *An Act in further Addition to an Act Intituled, An Act for Encouraging the Killing of Wolves.* Read a first time.

A Bill Intituled, *An Act for Reviving and further Continuing of an Act Intituled, An Act directing how Rates and Taxes to be granted by the General Assembly, shall be Assessed and Collected.* Read a first time.

A Bill Intituled, *An Act for reviving and further continuing of an Act Intituled, An Act for Explanation of, and Supplement to the Act referring to the Poor,* &c. *Made in the Ninth Year of Queen* Anne. . Read a first time.

A Report Sign'd by John *Wheelright* Esq; *&c.* the Committee appointed the 30th of *May* last, to receive of the Treasurer and Burn, Unserviceable Bills of Credit. Presented to the House and Read: Shewing that they had received of the Treasurer & burnt, *l.* 11205 12 *s* 4 *d.* half Peny in Bills of their exprest value, *l.* 442 11 *s.* 1 *d.* Thereof having been received for Taxes, *&c.* which with the 5 *per Cent.* advance, as they were received into the Treasury, amounts to *l* 464 13 *s.* 7 *d.* and *l.* 539 00 *s.* 3 *d.* Neet Bills received for Sloop Anne, and *l.* 10224 1 *s.* Neet Bills received of the Trustees for the *l.* 50000. Loan, amounting in the whole to the Sum of *l.* 11227 14 *s.* 10 *s.*

Resolved, That the said Report be Accepted, and that the Treasurer be Discharged accordingly. Sent up for Concurrence.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

BOSTON: Printed & Sold by B. Green. 1717. [7]

Province of the Massachusetts-Bay.

VOTES

of the House of Representatives.

Jovis 6. Die Junii, 1717. A. M.

MR. *Hutchinson* from the Committee appointed, laid before the House, A Bill Intituled, *An Act in Addition to an Act, relating to the Duty and Office of a Coroner.* Which was Read.

A Petition of *Joseph Severance*, Praying as entered Yesterday: Read again, with the Report of the Committee thereon, which was accepted by the House, and a Vote pass'd accordingly, with some Addition, *viz.*

Resolved, That the Sum of *Eleven Pounds Two Shillings*, be allowed and paid out of the Publick Treasury, to *Joseph Severance* the Petitioner, to reimburse him the Sum he expended on his Surgeon, and for Dyet, *&c.* when under Cure. And the further Sum of *Ten Pounds*, in full for his Loss of Time and Smart.

Sent up for Concurrence.

The Petition of *Ephraim Fenno* and *Elizabeth* his Wife, Praying as entered the First Currant. Read again, and the Report of the Committee thereon, which was accepted by the House; and accordingly,

Ordered, That the Petitioner serve the present Possessor of the Lands, mentioned in this Petition, with a Copy thereof: And that there be a Hearing thereon before this Court on Tuesday next. Sent up for Concurrence.

A Petition of *Joseph Coffin*, Representative of the Island of *Nantucket*, Presented to the House and Read, Shewing, That some of the Inhabitants of the said Island molested their Neighbours, by Suing them in vexatious Actions of little Value to the Inferiour Courts of *Dukes County*, and *Barnstable County*, compelling them to travel to those distant Counties to answer their Suits. Praying Redress. And that it may be Enacted, *That Actions shall be tryed in the County, where either the Plaintiff or Defendant Dwell.*

A Petition of *Malachi Holloway* of *Middleborough*, Presented to the House and Read, Praying, That he may have Liberty to take up, and lay out by a Skilful Surveyor, and Chain-men under Oath, 150 Acres of Land, to fulfil a Grant, of so much, that was made to his Father *William Holloway*, by the General Court, *Anno* 1662, for Service done to the Publick; which Grant has not yet been satisfied.

Ordered, That the Prayer of the Petition be Granted. Sent up for Concurrence.

3 Post Meridiem.

A Petition of *Henry Flint* of *Cambridge*, Gent. in behalf of himself and the rest of the Children of Mr. *Josiah Flint*, late of *Dorchester* Clerk, Deceas'd, Presented to the House and Read, Shewing that a part of a Tract of Land Granted to his Predecessors, falls within the Bounds of the Indian Plantation, called *Hassenamisco*, Praying that he with those concerned may have liberty to Purchase of the Indian Proprietors, so much of their said Tract, as falls within their said Plantation.

Ordered, That the prayer of the Petition be Granted. Sent up for Concurrence.

The Petition of the Town of *Sherbourn* by *William Rider* their Representative, praying as entred the First Current, Read again, and

Ordered, That the prayer of the Petition be so far Granted, as that the Petitioners be allowed to take a Plat of Three Thousand Acres of Land in the Place they mention, by a Surveyor and Chain-men under Oath, and lay it before this Court for Confirmation.

A Petition of *John Hawks* of *Deerfield*, presented to the House and Read, Shewing, That he has been Improved very often, in the Service against the Indian Enemy, and five times sorely wounded, *&c.* Praying Consideration and Support from this Court, He being now reduced to Straits in his Old Age.

And the Question being put, *Whether any thing be Granted in answer to the said Petition?* It pass'd in the Negative.

A Bill Intituled, *An Act in further Addition to the Act for Encouraging the Killing of Wolves.* Read a 2d time.

Ordered, That Mr. *Parsons*, Mr. *Turner*, Capt. *Horrick*, Capt. *Bane*, and Mr. *John Paine* be a Committee to whom the said Bill is Committed.

The Petition of *Joseph Coffin*, praying as entred this day further Considered, and

The Question being put, *Whether the Laws of this Province, Page* 35, *&* 116. (*Declaring that all Writts Issuing out of the Clerks Office shall run through the Province*) *Gives liberty to any Person to bring his Action within any County of this Province, where neither Plaintiff or Defendant being Setled Inhabitants do live?*

Resolved in the Negative. And that the Laws are not to be so Understood or Practised. Sent up for Concurrence.

And then the House Adjourn'd till to Morrow Morning Nine a Clock. [8]

Veneris 7. Die Junii 1717. A. M.

HIS Excellency the Governours Speech Read again: And Mr. Speaker offered to the House a Draught of an Answer thereto, which was Read, and Voted by the House.

Ordered, That Mr. *Hutchinson*, Mr. *Porter* and Capt. *Savage*, Wait on his Ex-

cellency the Governour and Acquaint him that this House are Desirous to Acknowledge his favour, in his Speech at the opening of this Court; and to know when his Excellency pleases the House shall attend him for that end.

The said Members Attended the Order of the House, and Returned answer, That his Excellency had Appointed to Morrow Morning.

A Petition of *Samuel Morris*, *Simon Gates*, and *Isaac Hunt*, Proprietors of Land in the Town of *Lancester*, in behalf of themselves, and other Proprietors in the said Town. Presented to the House and Read, Praying this Court to Determine whether the Grant of Land made to the said Town in *June* 1713, upon the Petition of *Thomas Sawyer*, and *John Houghton*, in behalf of the said Town belongs to the said *Thomas Sawyer* and *John Haughton*, and the major part of the Proprietors in the said Town, or whether every Proprietor in the Town ought not to have a Share in the said Grant?

A Petition of *Samuel Morris*, and *Dorothy* his Wife, in behalf of themselves, and the Children and Heirs of *Joseph How* late of *Marlborough*, Deceased, who was former Husband of the said *Dorothy*, Presented to the House and Read, praying the Confirmation of a Tract of Land of 300 Acres, Granted to *William Hobberfield*, *Anno* 1698. which was by him Sold to *Thomas How*, and by him to the said *Joseph How*. And a Plat of 300 Acres of Land Protracted by *John Brigham* Surveyor presented therewith.

Ordered, That the Land contained and Delineated in the said Plat, be Allowed, and Confirmed as the 300 Acres, that was Granted unto *William Hobberfield*, *Anno* 1698, provided, it intrench not upon any former Grant, and contains no more than the Quantity granted. Sent up for Concurrence.

Ordered, That Mr. *Joseph Wadsworth* be added to the Committee, appointed to find out and agree for a Piece of Land suitable to erect an Hospital upon, to entertain infectious Persons that may be imported into this Province.

A Message from the Board by *Benjamin Lynde* Esq; That the House do now come up to attend the Hearing appointed the 30th of *May* last, upon the Petitions of sundry Inhabitants of the Town of *Dorchester*.

Mr. Speaker and the House went up accordingly, and after some Time spent therein, his Excellency Adjourned the Court and the Hearing to half an Hour past Three a Clock.

3 Post Meridiem.

A Message from the Board by *Thomas Hutchinson* and *Thomas Fitch* Esqrs, That the House do now return to the Council Chamber, to finish the Hearing upon the Petitions of sundry the Inhabitants of the Town of *Dorchester*.

Mr. Speaker and the House went up accordingly; and when both Parties were fully heard, return'd again to their own Chamber.

A Message from the Board by *Penn Townsend* and *John Higginson* Esqrs, That the Hearing upon the Petition of —— *Pease* of *Nantucket*, and the Hearing upon the Petition of sundry Indians of *Nantucket*, that were appointed to be this Day, be continued till to Morrow Ten a Clock; which was agreed to by the House.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Sabbati, 8. Die Junii, 1717. A. M.

MR. *Hutchinson* from the Committee appointed to Examine and Audit the Treasurer's Accompts, reported, That they had attended that Service; and find his Accounts to be right Cast, and well Avouched, in the several Articles of them; which Report was accepted by the House, and the following Vote pass'd, *viz.*

The Accompts of Mr. *Jeremiah Allen*, Treasurer and Receiver General of this Province, beginning the 30th Day of *May* 1716, and continued unto the 31st Day of *May* 1717, amounting to the Sum of *Fifty-one Thousand, Eight Hundred Fifty-eight Pounds, Eight Shillings and Eleven Pence*, having been presented and laid before the House of Representatives, and Inspected by the said House, by which it appears there was standing out on said Thirty-first Day of *May*, *Five Thousand Six Hundred Eighty-nine Pounds, Three Shillings and Six Pence*, of the Taxes; *Two Thousand Five Hundred Thirty-seven Pounds, Eleven Shillings and Nine Pence*, Neet Province Bills, and *Thirteen Thousand Six Hundred Twenty Two Pounds, Three Shillings and Three Pence*, Province Bills, with the Five *per Cent.* advanc'd thereon in the Treasury, and further to be accounted for.

Voted, That the said Accompts, in the several Articles of Receipts and Payments therein mentioned, amounting unto the Sum of *Thirty Thousand and Nine Pounds, Ten Shillings and Five Pence*, be and are hereby allowed of; and the said Treasurer is hereby Discharged of the said Sum of *Thirty Thousand and Nine Pounds, Ten Shillings and Five Pence.* Sent up for Concurrence. [9]

Ordered, That the Committee which Audited the Treasurer's Accompts, be a Committee to Examine and Audit the Accompts of the Commissioner of Impost, and make Report to the House.

A Petition of *Nathaniel Henchman* of *Boston* Merchant, Presented to the House and Read, Shewing, That he received of the *Ten Thousand Pounds* Loan of Province Bills, *Anno* 1711, the Sum of *Fourteen Hundred Pounds* which he Disbursed to pay off the Transports, that were taken up on Her late Majesty's Account, in the Expedition to *Canada* the said Year, and took Bills of Exchange on the Lord High Treasurer of *Great Britain* for the same, to the Sum of *l.* 996 18 *s.* 8 *d.* Sterling, payable at 30 Days Sight; but no part of the said Bills is yet paid. Praying the Continuation of the said Loan for one Year more.

And the Question being put, *Whether the Prayer of the Petition be Granted?*

It pass'd in the Negative.

Mr. Speaker and the House went up to the Council Chamber, to return Answer to His Excellency's Speech. And Mr. Speaker make a Speech to his Excellency, as follows, *viz.*

May it please Your Excellency,

WE His Majesty's Loyal and Dutiful Subjects the Representatives of the Province of the *Massechusetts-Bay*, now in General Court Assembled, as well for our Selves, as in the Name of the People we Represent, Do with great Sincerity, Duty and Thankfulness Acknowledge your Excellency's great Respect, Favour, Care and Affection expressed to us, and to our Country, in your Speech to the General Assembly, in this your first Meeting them at a Session for the Anniversary Election of Councellors.

Nothing could have laid us under greater and more endearing Obligations, than your Excellency's affectionate Expressions, and Assurances with reference to our *Religious* and *Civil Rights*, *Liberties* and *Privileges;* and that your Excellency hath so much at heart the true Valuable, and best Interest of this Country, as if it had been indeed your Own.

We gladly take this Publick Occasion to Testify our Gratitude, first to Almighty GOD, and then to Our most gracious Soveraign Lord the KING, under whose happy Reign, and your Excellency's good Government, We hope to enjoy those inestimable Blessings for many Years to come; that so we and our Posterity, may be leading quiet and peaceable Lives in all Godliness and Honesty, and thereby approve our selves to be such as Fear GOD, and Honour the KING.

We greatly Rejoyce with your Excellency in the good Tidings, We have from time to time, of the Remarkable Protections, and Blessings of Heaven, upon His Sacred Majesty and His Illustrious Family, and His Wise and Just Governmen

And we thankfully Accept your Excellency's Exhortation to Moderation, Unanimity, Publick Spiritedness, and Expedition in the business of this Session, and shall endeavour to put it in Practice accordingly.

To which His Excellency was pleased to Reply, as follows, viz.

Gentlemen,

Y*our Answer to My Speech is so Expressive of your Loyalty and Duty to the KING, and His Illustrious House; as is also your joyning your Congratulations and Acknowledgments with Mine in owning the Signal Hand of Divine Providence, in the timely discovery of the horrid* Swedish *Conspiracy against His Maj-*

esty's Sacred Person, and His Royal Family; that you must give Me leave to Assure you, That they are the Most agreeable Topicks upon which you cou'd Speak.

As to what you so kindly mention in reference to My Self and My Administration, it shall carry its just weight with it, and it will induce Me to give you constant Proofs that My Words and Actions shall never jarr.

I am glad of this Opportunity to Return you My hearty Thanks for this your Agreeable Answer.

And then the House return'd to their own Chamber. [10]

A Petition of *Elizabeth Hobart*, Widow relict of *Jer. Hobart*, late of *Haddam*, Clerk, Deceased, presented to the House and Read, praying that 600 Acres of Land Granted in *May* 1679. to Mr. *Samuel Whiting*, Sen. of *Lynn*, which now belongs to the Petitioner, may be laid out in some Unappropriated Land of this Province. Committed.

A Message from the Board by *Edward Bromfield* Esq; That the House do now come up and attend the Hearing on the Petition and Complaint of the *Nantucket Indians*.

But that the Matter of the Complaint in the Petition of ——— *Pease*, upon which a Hearing was Granted, is accommodated.

Mr. Speaker and the House went up accordingly; And the Attorney, for the *English* Inhabitants of *Nantucket*, prayed to have further Day given them, not being fully prepared for the Hearing. Whereupon the Parties were ordered to withdraw.

And the House Return'd to their own Chamber to Consider of the said Motion. And after Debate,

Ordered, That a Message be sent up to the Honourable Board by Col. *Thaxter*, and Mr. *Turner*, That this House see no reason to comply with the said Motion, for Deferring the Hearing: But are of the Mind that the Hearing ought now to proceed, the Respondents to the Petition having had sufficient time to prepare their answer.

A Message brought unto the House, That the *English* Inhabitants of *Nantucket* were content that the Hearing should now proceed.

Mr. Speaker and the House went up again to the Council Chamber. And when both Parties had been fully heard Return'd to their own Chamber.

And then the House Adjourn'd to Monday next three a Clock in the Afternoon.

BOSTON: Printed & Sold by B. Green. 1717. [11]

VOTES of the House of Representatives

Lunæ 10. Die Junii, 1717. 3. P. M.

A Bill Intituled, *An Act in Addition to an Act Intituled, An Act relating to the Duty & Office of a Coroner.* Read a 2d time.

A Bill Intituled, *An Act for reviving and further Continuing, An Act, Intituled an Act Directing how Rates and Taxes to be Granted by the General Assembly, shall be Assessed and Collected.* Read a 2d time. And the said Act Read.

A Petition of *Daniel Allen, Josiah Torry,* and 23 others Inhabitants of the Town of *Swanzey,* Presented to the House and Read, praying, That the West end of the said Town may be set off, and made a distinct Town-ship, That they may thereby be enabled to Raise a Maintenance for the Gospel Ministry among them.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Martis, 11. Die Junii, 1717. A. M.

A Petition of *Joseph Eaton, William Bradbury* and 45 others, Inhabitants of the Town of *Salisbury,* praying this Court to Rectify & Confirm a reasonable Agreement which the said Town have made among themselves, relating to the Maintenance of the Gospel Ministry, and Building Meeting Houses in the said Town, concerning which Contention is arisen in the Town, several Persons endeavouring to make void the same. Sent down from the Board, pass'd on there, *viz.* In Council, *June* 6th 1717. Read & Ordered, That the Petitioners, Serve the adverse Party with a Copy of this Petition, That they may be heard thereon upon the 2d Wednesday of the Fall Sessions of this Court, unless the Parties agree within that time. And that in the mean time the Reverend Mr. *Caleb Cushing* Continue to Preach at the Old Meeting-house within the said Town of *Salisbury.*

Sent down for Concurrence. Read & Concurr'd.

A Petition of *John Beauchamp* of *Boston,* Leather Dresser, Presented to the House & Read, praying, That he may be allowed to keep an Indian Woman Servant, which he Imported lately from *Carolina,* the Law of this Province to the contrary notwithstanding: For reasons therein assigned.

And the Question being put, *Whether the Prayer of the Petition be Granted?*

It passed in the Negative.

A Petition of *Jeremiah Cushing, Samuel Tyley* and 32 others, Innholders & Retailers in the Town of *Boston,* Presented to the House & Read, praying, That the Act, Intituled, *An Act for the Granting to His Majesty an Excise upon Wines,* &c. May be Repealed, and that the Excise may be Setled upon the same Foundation, on which it lately was, for reasons therein alledged.

A Plat of 2000 Acres of Land, laid out for the Town of *Woburn,* by *Joseph Burnap* Surveyor, and Chain-men under Oath, pursuant to a Vote of this Court the 28th *Novemb.* last: Presented to the House for Confirmation.

Ordered, That the Lands, Described & Delineated in the said Plat be Confirmed to the Town of *Woburn*, in Satisfaction of a Grant made to them in *October* 1664. Provided it Intrench upon no former Grant, and Contain no more than the quantity Granted. Sent up for Concurrence.

A Petition of *Thomas Wells*, Representative of the Town of *Deerfield*, Presented to the House and Read: Shewing, That the General Court in the Year 1673 Granted to the said Town, an addition of a Tract of Land, that was to be laid out at the North end of the said Town, and to Contain the quantity of 7 Miles Square; which Lands was accordingly laid out, and the Bound-marks now to be seen: But upon searching the Records they cannot find any entry thereof, Praying, That it may be now Allowed and Confirmed, and be of Record to prevent future Trouble.

Ordered, That the Petitioners may take a Plat of the additional Grant of the Quantity of Seven Miles Square, in the whole, Pursuant to the ancient Bounds by a Surveyor and Chain-men under Oath, and lay it before this Court for Confirmation at the Sessions next Fall. Sent up for Concurrence.

A Bill Intituled, *An Act, relating to the Duty and Office of a Coroner.*

Read a 3d time, and Pass'd to be Engross'd. Sent up for Concurrence.

A Petition of *Isaac Pease*, and Six others Inhabitants of the Town of *Enfield*, Presented to the House & Read, Complaining of Injury done them, in the Division that has been made of the Common Lands in the said Town, wherein they Apprehend they cannot have relief by the Common Law. Praying this Court to take the matter into their Consideration, and grant them relief.

And the Question being put, *Whether the prayer of the Petition be Granted?*

It pass'd in the Negative.

A Petition of *Roger Billings*, of *Dorchester*, *Jonathan Gulliver* of *Milton*, and *John Billings* of *Dorchester*, Presented to the House & Read, praying further relief for *Thomas Onconcouug* an Old blind Indian, that has been very Serviceable as a Souldier in the late Wars, and received a hurt in one of his Eyes while in the Service, which is supposed to have occasioned his Blindness. And an Account was Exhibited of the Expenditure of *Six Pounds* that was granted in the Year 1715 for his relief. Committed.

The Petition of *Robert Spur* Esq; *&c.* of *Dorchester*, praying as entred the 30th of *May* last, upon which there has been a Hearing this Session. Sent down from the Board, Pass'd on there, *viz.* In Council, *June* 11th 1717. Upon a full Hearing had on Fryday the 7th Currant, before the whole Court, upon the within Petition of the Inhabitants of *Dorchester*. *Voted*, That the prayer of the Petitioners be not Granted; and the Acts of the said Town-Meeting, are so far Confirmed as relates to the Choice and Power of Officers, and other proper Town Business. Sent down for Concurrence. Read & Concurr'd, abating the last clause, *viz.* (And other proper Town Business.) And that the Allowing of this Meeting so far, on this ex-

traordinary occasion, be not Improved to Countenance any Neglect, in the Warnings of Town Meetings for the future. [12]

A Message from the Board by *Samuel Sewall*, *John Appleton*, *John Wheelwright*, *Thomas Noyes*, *Benjamin Lynde* and *Addington Davenport*, Esqrs; That his Excellency Desires that the Consideration of Petitions may not take up too much of the Time of this Court, so as to Post-pone the more weighty Affairs: But that the House will proceed in them.

Ordered, That a Message be sent up to the Board by Mr. *Edward Hutchinson*, Mr. *Porter*, Mr. *Toy*, Capt. *Chambers*, Col. *Somersby*, and Capt. *Osgood*, That this House in the beginning of the Session appointed a large Committee of Members of each County to Inspect the Lists of Rates return'd into the House the last Year, and again what other Information they could, in order to proportion the Towns to the Tax, to be rais'd this Session, which Committee had been attending that difficult Service ever since, while the House have been considering the Petitions of private Persons.

Half an Hour past 3 Post Meridiem.

A Plat of 200 Acres of Land laid out by *Thomas White* Surveyor, and Chainmen under Oath, pursuant to a Vote of this Court the 2d of *June* 1716. in answer to the Petition of *Josiah Chapin* Esq; offered to the House for Confirmation.

Ordered, That the Land Protracted in the said Plat be Allowed & Confirmed as the 200 Acres of Land Granted to *Samuel Chapin*, *Anno* 1664. Provided it Intrench upon no former Grant. Sent up for Concurrence.

A Petition of *John Wheelwright* of *Wells* Esq; Praying, That 200 Acres of Land up *Mousom* River, or the Privilege of cutting Timber up the said River so long as he or his Successors, shall have a Saw-mill there, may be Granted to him in Consideration of the Services & Losses in the late War. Sent down from the Board, Read there *June* 5th 1717 and Recommended.

And the Question being put, *Whether the prayer of the Petition be Granted?*

It pass'd in the Negative.

A Petition of *John Wright*, and 4 others whose Predecessors Purchased of the Indian Proprietors before there was a Law to forbid it, a Tract of Land containing 3000 Acres, lying betwixt the Towns of *Woburn*, *Andover*, *Billerica*, and *Reading*, called the Land of *Nod*, Presented to the House and Read Praying this Court to Allow and Confirm the said Purchase.

And the Question being put whether the Prayer of the said Petition be Granted?

It passed in the Negative.

A Petition of *Ebenezer Coffin* of *Nantucket*, Presented to the House and Read, Praying that the Sum of *l.* 50. which he was fined by the General Court, for Trading with the French *Anno*, 1709. And *l.* 6. which he paid Costs, may be Repaid him for reasons he mentions. Committed.

A Petition of *George Worthilake*, Husbandman, and Master of the Lighthouse, Presented to the House and Read, praying that the use and Improvement of the great Brewster Island, may be procured and allowed to him, in addition to his Salary for looking after the Lighthouse, or that his Salary may be Increased, and that he may have some Consideration for 59 *Sheep*, which he lost this Winter, being driven into the Sea by a Storm through want of his care of them, when obliged to attend the Lighthouse.

In answer to the said Petition, *Resolved* that the Sum of *Seventy Pounds* be allowed to the Petitioner, for his Service in taking care of the Lighthouse the year ensuing. Sent up for Concurrence.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Mercurii 12. Die Junii 1717. A. M.

A Petition of *William Denison* of *Roxbury* Presented to the House and Read, Shewing that he with the rest of the Heirs of his late Father *Edward Denison* of *Roxbury* aforesaid Deceased, have agreed to a Division of the Estate he left them and Executed Articles for that end, excepting two Grandchildren, one whereof is a Minor, and the other a Person that is Untreatable, Praying that this Court will give order to the Judge of Probates of Wills to accept and Ratify the said Division and appoint a Guardian for the Minor.

Ordered, That Col. *Thaxter*, Mr. *Turner*, and Mr. *Lindal*, be a Committee to Prepare and Lay before the House a Bill for the more convenient Partition of Lands.

Capt. *Savage* from the Committee appointed to Proportion the several Towns, to a Tax of 1000 *l.* Reported that they had met several Times, and had made considerable Progress, and wanted further Instruction from the House, which was given them and they were Directed to Proceed and finish that affair.

A Report of the Committee appointed in *November* last to go to that part of *Hingham* called *Cohasset*, which Petitioned to be made a distinct Precinct, and Consider of the reasonableness of their Prayer, Signed *Penn Townsend* in the name of the Committee, Sent down from the Board, Pass'd upon there *viz.* In Council *June* 5th 1717. Read and accepted. Sent down for Concurrence.

A Petition of *John Bed*, *Lazarus Bed*, and *Stephen Lassels*, in behalf of themselves & *Purdy Macvarlo*, who by the Report of the said Committee are laid into the said Precinct of *Cohasset:* Presented to the House and Read, praying, That they may not be Included in the said Precinct for reasons they render.

The said Report Read again, and Non-Concurr'd. Sent up.

3 Post Meridiem.

A Petition of *Thomas Ayers*, *Joseph Ayers*, *Edward Ayers*, *Mark Ayers*, and *Nathanael Ayers*, Sons of *John Ayres*, late of *Brookfield* alias *Quahaog*, deceased, Praying, That they may be enabled by an Order of this Court to Inherit the several Lots & Rights of Land, that did belong to their said Father in the said Plantation. Sent down from the Board, Read there *June* 11th. 1717. and Recommended.

Ordered, That the said Petition be Committed, and Mr. *Porter* be added to the Committee for Petitions, on the Consideration thereof.

An Accompt of *Henry Bridgham* amounting to the Sum of *l.* 12 18 *s.* the Charge of Dining the House of Representatives on the 29th Day of *May* last, being the Anniversary Day of Election of Councellors, laid before the House for Allowance.

Resolved, That the Sum of *Twelve Pounds Eighteen Shillings*, be Allowed & Paid out of the Publick Treasury to *Henry Bridgham*, the Accomptant, to Discharge the said Accompt. Sent up for Concurrence.

An Account of *Daniel Russel* Treasurer of the County of *Middlesex*, from *May* 1711. to *May* 1714. Presented to the House and Read.

Ordered, That the said Accompt be Allowed. Sent up for Concurrence.

A Message from the Board by *Thomas Hutchinson*, and *Elisha Cooke* Esqrs; That the House now come up to Attend the Hearing upon the Petition of *Jonathan Remington* Esq; appointed the 5th Currant.

Mr. Speaker and the House went up accordingly: And a full Hearing being given to both Parties; They return'd again to their own Chamber.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

BOSTON: Printed and Sold by B. Green. 1717. [13]

Province of the Massachusetts-Bay.

VOTES

of the House of Representatives.

Jovis 13. Die Junii, 1717. A. M.

A Petition of *John Higginson*, and Thirty-four others, Proprietors of the Town-ship of *Falmouth* in *Casco-Bay*, Presented to the House & Read, praying leave to go & Settle a Town there, in as Regular & Defensible a manner as may be. Thirty Families, being now ready to go thither.

Ordered, That the prayer of the Petition be Granted. And that the Petitioners apply themselves to the Committee appointed by this Court in *June* 1715. to Prosecute the Regular Settlement of the Eastern Frontiers for advice in the manner of their Settlement. Sent up for Concurrence.

A Petition of the Select-men of the Town of *Brooklyn*, presented to the House & Read, Shewing that the said Town have been at great charge in Building of a Meeting-house, and Settling of a Minister, whereby they are much Exhausted, praying Assistance for this Year in Maintaining their Minister; and that Abatement may be made in their Province Tax, wherein they apprehend they have several Years born more than their Proportion.

A Petition of *John Porter* of *Wenham*, presented to the House & Read, Shewing, That the Court of General Sessions of the Peace in *Essex* appointed a Committee to lay out a Highway thro' his Land, to the Land of *Freeborn Balch*, which was done through his Meadow, Corn-field & Orchard to his insufferable Damage, and the said Court confirmed the Act of the said Committee, praying this Court to send a Committee to lay out a High-way for the said *Balch* so as may conveniently Serve him, and be as little injurious to the Petitioner as may be.

Committed.

A Message sent up to the Board by Capt. *Fullam*, & Mr. *Turner*, Desiring that the Committee of both Houses appointed at the last Sessions of this Court to Consider of Expedients to preserve the value of the Publick Bills of Credit, in the Recess of this Court, and to make report at this Session, be Desired to bring in their Report as soon as may be.

3 Post Meridiem.

A Petition of *John Campbell* Post-master of *New-England*, praying Assistance towards the charge of Carrying on his Weekly News-Letter: And the payment of his Accompt Postage for the Publick, since the 2d of *June* last: Amounting to the Sum of *l.* 57 3 *s.* 8*d.* Sent down from the Board. Read.

Ordered, That Mr. *Hutchinson*, Mr. *Wadsworth*, and Mr. *Lindal*, be a Committee to whom the said Petition & Accompt is referred. That they Consider the Subject matter & Allegations thereof, and Report what they think is proper for this Court to do thereon. Upon a Motion being made:

Ordered, That Capt. *Chambers*, Mr. *Hutchinson*, and Mr. *Porter* be a Committee to Consider the Laws relating to the Stating of Fees, and Report what they think proper to be further Enacted in Explanation, or Alteration thereof.

A Message from the Board by *Andrew Belcher*, *Thomas Hutchinson*, *Thomas Fitch*, *Edmund Quincey*, and *Elisha Cooke*, Esqrs; That the Committee appointed at the last Sessions, to Consider of Expedients to Preserve the Credit of the Publick Bills had done nothing in that Affair before the Meeting of this Court, and Apprehend it not proper for them now to do it, unless they are reviv'd.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Veneris 14. Die Junii. 1717. A. M.

THe Petition of *Jonathan Remington*, Representative of the Town of *Cambridge*, upon which a Hearing was had before this Court the 12th Currant. Sent down from the Board, pass'd upon there, *viz.* in Council, *June* 13. 1717. Upon a Hearing Yesterday of the Towns of *Cambridge* and *Charlstown*, as to their respective Claims of being the Shire Town of the County of *Middlesex*.

Resolved, That *Cambridge* is the Shire Town of the said County.

Sent down for Concurrence. Read and Concurr'd. [14]

An Accompt of *Joseph Hammond*, Treasurer of the County of *York*, beginning, *Anno* 1716. and ending the Third Day of *April*, 1717.

Presented to the House and Read.

Ordered, That the said Accompt be Allowed. Sent up for Concurrence.

Capt. *Savage* from the Committee appointed to proportion the several Towns to a Tax of *l.* 1000, Reported, That they had finish'd that Affair; and presented a List thereof, which was Read.

Ordered, That the House now proceed to consider the said Report, and to Vote what shall be each Towns Proportion to a *l.* 1000, in the Tax that shall be Levyed this Session.

And that what is now done, shall not be deemed to be a Rule for the future; but that the House will endeavour, that a new Valuation of the several Towns, shall be obtained against the next *May* Sessions.

3 Post Meridiem.

The House proceeded to a distinct and separate Consideration of the Proportion of each Town, reported by the Committee. And Voted severally, the Sum

that each Town shall pay to a *Thousand Pounds*, in the Tax to be Levied this Session; the respective Representatives having first had Opportunity to set forth to the House the States and Circumstances of their Towns.

A Message from the Board by *Andrew Belcher* Esq; Proposing, That the Sloop taken into the Service for the Defence of the Coast, may have *Thirty Five Pounds per* Month, it being a Mistake that *Thirty Pounds* only was proposed afore; and left a Petition of *John Ruggles*, Owner and Master of the said Sloop, Praying, That the said Vessel's Hire may be inlarged.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Sabbati 15. Die Junii 1717. A. M.

THe following Vote sent down from the Board, *viz.* In Council, *June* 13th. 1717.

Upon a Hearing had the 8th of *June* Currant, on the within Petition (of the Indian Inhabitants of the Island of *Nantucket*) before the whole Court.

Resolved, That the Island of *Nantucket* be annexed to the County of *Suffolk*.

Sent down for Concurrence. Read and Non-Concurr'd.

Inasmuch as this House apprehend, the Indians will not be benefitted thereby, but will comply with those that Sue them to great Loss, rather than be at the heavy Charge of Transporting themselves to *Boston*, and Answering there. And,

Voted, That His Excellency and Council be desired to Constitute and Appoint, one or two proper Persons from the Main, to be of the Judges of the Inferiour Court of Common Pleas, and General Sessions of the Peace, from time to time on the said Island. Sent up for Concurrence.

Voted, That *Eleven Thousand Pounds* only, of the *Twenty-two Thousand Pounds*, Granted in the Years, 1711, and 1712, be Levyed and Collected the present Year.

And that the Duties of Impost and Tunnage of Shipping, and Excise, together with the Income of the Bills lent out, and the Light-House, be a Fund and Security for the drawing in the remaining *Eleven Thousand Pounds*.

Sent up for Concurrence.

The following Vote sent down from the Board, *viz.* In Council, *June* 14th. 1717.

Resolved, That pursuant to an Act Intituled, *An Act for the more safe keeping the Registry of Deeds and Conveyances of Lands;* Made and Passed at a Session of the Great and General Court or Assembly at *Boston*, the 25th of *May*, 1715. That the Publick Office for Registry of Deeds and Conveyances of Lands for the County of *Middlesex*, be forthwith opened and kept in the Shire Town at *Cambridge*.

And that all Deeds and Conveyances of Lands, that have been Recorded in the Office at *Charlstown*, since the Making the aforesaid Act, notwithstanding their

being there Recorded, be Declared, and hereby are made good and valid to all Intents and Purposes in the Law whatsoever: Any Law, Usage or Custom to the contrary notwithstanding. Sent down for Concurrence.

Read and Concurr'd.

Ordered, That *Five Shillings* be Assessed on the Poll, in the Tax to be Levyed this Session.

The Bill Entituled, *An Act in Addition to an Act, Intituled, An Act relating to the Duty and Office of a Coroner*. Sent down from the Board, Concurr'd with Amendments; which were Read and Agreed, and sent up.

The Committee appointed, brought in a Bill, Entituled, *An Act in Addition to the Act, Intituled, An Act for the Partition of Lands*. Which was Read a first Time.

A Petition of *John Ruggles* and *Thomas Gross*, Owners of the Sloop Mary and Free-Love, lately Impress'd in the Publick Service, whereof the said *Ruggles* was Master, Read; Praying, That the Hire of the said Sloop may be made more than the House have Voted, for Reasons mentioned therein. And that the Loss the said *Ruggles* has sustained by the said Sloop's being Impress'd from him, may be Considered.

And then the House Adjourn'd till Monday next three a Clock in the Afternoon.

BOSTON: Printed & Sold by B. Green. 1717. [15]

VOTES of the House of Representatives.

Lunæ 17. Die Junii, 1717. 3. P. M.

A Petition of *Robert Cathcart*, Clerk of the Town of *Tisbury*, in behalf of the said Town; Presented to the House and Read, Praying Assistance from the Publick Treasury towards the Maintenance of their Minister, for Reasons assin'd in the said Petition.

Resolved, That the Sum of *Ten Pounds*, be allowed and paid out of the Publick Treasury for this time, towards the Maintenance of the Ministry in the Town of *Tisbury*.

And that the said Town be Advised to unite and make one Congregation with the Town of *Chilmark*, in carrying on the Publick Worship of God, as soon as conveniently may be. Sent up for Concurrence.

Ordered, That Capt. *Habijah Savage*, Capt. *Joseph Wadsworth*, *Jonathan Remington*, *Edward Hutchinson*, and *Jonathan Dowse* Esqrs, with such as the Honourable Board shall Nominate, be a Committee in the Recess of this Court, to consider that Part of His Excellency's Speech, which relates to the keeping up the Credit of the Publick Bills, and report such Expedients as they think will be most effectual for that end, without fail, to the next Sessions of this Court.

Sent up for Concurrence.

An Engross'd Bill, Intituled, *An Act relating to the Duty and Office of a Coroner*. Read, and

Resolved, That the Bill do pass to be Enacted.

A Petition of *Paul Dudley* Esq; Attorney General of this Province; Presented to the House and Read, Praying Allowance for his Service in that Office for five Years last past. Committed.

The Vote of this House pass'd the 15th Currant, for a Tax of *l.* 11000.

Sent down from the Board Concurr'd.

An Accompt of *Ebenezar Lewes*, Treasurer of the County of *Barnstable*, for the Year 1716. Countersign'd by *William Basset* Town Clerk, Presented to the House and Read.

Ordered, That the said Accompt be Allowed. Sent up for Concurrence.

A Petition of *Thomas Palmer*, *John Oulton*, *Cornelius Waldo*, *Philip Headman*, and *Job Lewis* of *Boston*, Merchants, Shewing, That they have lately Intituled themselves to the Rights of Land in *Worcester*, which Capt. *John Wing* died seized of, Praying, That a farther Term of Time for Building and Settling the said Lands may be allowed; the three Years which this Court limitted for Settling them, under Penalty of Forfeiture, being near expired. Sent down from the Board, Pass'd on there, *viz.* In Council, *June* 14th. 1717. Read and Resolved, That on the Consideration within mentioned, the Petitioners be allowed the farther Space of Twelve Months, to comply with the Conditions on which the Lots were Granted; they applying themselves forthwith to the Performance of the said Conditions.

Sent down for Concurrence. Read and Concurr'd.

A Petition of *John Smith* of *Boston*, in behalf of himself and Mr. *John Eliot*, Owners of 18 Ten Acre Lots in the Town of *Worcester*, which Maj. *Daniel Gookin* died seized of; Presented to the House and Read, Praying that they may be allowed one Year more for Building two Houses, and Settling two Families on the said Lands; the three Years limitted by this Court for that end, upon Penalty of Forfeiting the Lands, expiring the 14th Currant.

Ordered, That the Prayer of the Petition be Granted. Sent up for Concurrence.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Martis, 18. Die Junii, 1717. A. M.

A Petition of *John Lane* and 13 others, Principal Inhabitants in and about *Winter Harbour*, Presented to the House and Read, Praying Allowance out of the Publick Treasury, towards the Support of a Minister there. Committed.

A Petition of *Edward Hutchinson* and *John Watts*, Presented to the House and Read, Praying the Continuance of the Guard of Soldiers, that was formerly allowed at *George-Town* on *Arrowsick-Island*, for one Year more.

Ordered, That the Prayer of the Petition be so far Granted, as that an Officer with Fifteen Centinels, be allowed for the Covering of the Settlement at *George-Town*, for one Year more, at the Charge of the Publick. Sent up for Concurrence.

A Bill Intituled, *An Act for Reviving and further Continuing of An Act, Intituled, An Act Directing how Rates and Taxes to be Granted by the General Assembly, shall be Assessed and Collected.*

Read a 3d time, and pass'd to be Engross'd. Sent up for Concurrence.

A Bill Intituled, *An Act for Reviving and further Continuing, An Act for Explanation of and Supplement to the Act, referring to the Poor*, &c.

Read a 2d time.

A Petition of *Thomas Fitch, Nathanael Cary, Samuel Greenwood, Charles Chambers*, and *Oliver Noyes*, a Committee Appointed by this Court, to provide sundry Necessaries for the Train of Artillery *&c.* Directed by Her late Majesty to be here provided, for the Expedition against *Canada, Anno* 1711. And for the Sums they advanced in that Service, they received Bills of Exchange upon the Lord High Treasurer of *Great-Britain*, none of which, nor any part of the said Bills have been as yet paid: And the Petitioners had the Loan of *l.* 3812 8*s.* 7*d.* Granted them in Bills of Publick Credit, out of the Publick Treasury, in Consideration of their [16] being in Advance for that Service, which they are obliged to pay into the Treasury in *July* next. Presented to the House and Read, Praying the Continuance of the said Loan for one Year more.

Ordered, That the Prayer of the said Petition be Granted.

Sent up for Concurrence.

A Message from the Board by *Thomas Fitch*, and *Elisha Cooke* Esqrs, That sev-

eral Members of this Court are desirous to return Home, and therefore His Excellency desires the House to lay aside private Affairs, and proceed to the Dispatch of the publick necessary Business of the Session.

A further Petition of *Nathanael Henchman* of *Boston*, Merchant, Presented to the House and Read, Praying, That his Petition which was Rejected this Session, may be admitted to a Reconsideration, for Reasons alledg'd.

Ordered, That the said Petition be Reconsidered.

The said Petition Read again, and

Resolved, That the Prayer thereof be Granted. Sent up for Concurrence.

A Petition of *Ebenezar Doan*, in behalf of the Inhabitants of *Cape Cod;* Presented to the House and Read, Praying a Sum may be allowed out of the Publick Treasury, for the Building a Meeting-House for the Publick Worship of God there.

Ordered, That Capt. *Chandler*, Mr. *John Payne*, Capt. *Wadsworth*, and Capt. *Thomas Payne*, be a Committee to whom the said Petition is Referred.

The Petition of *Roger Billings*, &c. Praying as Entred the 11th Currant: Read again, and the Report of the Committee thereon, which was accepted by the House; And accordingly,

Resolved, That the Sum of *Six Pounds*, be allowed and paid out of the Publick Treasury, to *Roger Billings* the Petitioner, to be improved according to his best Discretion, for the use and benefit of *Thomas Onconconuck* the Blind Indian, mentioned in the Petition. Sent up for Concurrence.

The Vote of this House pass'd Yesterday for a Committee of both Houses, during the Recess of this Court, to consider Expedients to preserve the Credit of the publick Bills. Sent down from the Board, Pass'd on there, *viz.* In Council, *June* 18. 1717. Read and Concurr'd, with the Amendments; And the Honourable *Elisha Hutchinson*, *Samuel Sewall*, *Eliakim Hutchinson*, and *Addington Davenport* Esqrs, are added to the Committee for the said Affair.

Sent down for Concurrence.

The Amendments are, The Rasing of the Words, *In the Recess of this Court*, and, *Without Fail to the next Session of this Court*; and the Inserting of the Words. *During the present Sessions of this Court.* Read and Concurr'd.

3 Post Meridiem.

The Season of the Year having been such this Spring, that the Committee Appointed in *November* last, to run the Line between this Government and the Government of *Rhode-Island*, could not attend that Service.

Ordered, That the Honourable *Nathanael Payne* Esq; *Samuel Thaxter* Esq; and *John Chandler* Esq; be a Committee to join with such as the Government of *Rhode-Island* shall Impower to proceed in, and perfect the Running and Settling

the Line between this Province and the said Colony, pursuant to the Agreement lately made for that end, by the Commissioners of both Governments. And His Excellency the Governour, is Requested to Write pressingly to that Government, to Impower, and send Persons to issue the said Affair as soon as possible.

But if the Government of *Rhode-Island*, continue to neglect for the Space of Four Months to join in the Affair, That the said Committee of this Government, be Directed to proceed and issue it, according to the said Agreement.

Sent up for Concurrence.

A Petition of *Paul Dudley* Esq; Attorney General for this Province, Praying as Entred the 17th Currant, further Considered; and the Report of the Committee thereon, which was not accepted by the House. But in Answer to the said Petition,

Resolved, That the Sum of *Fifteen Pounds*, be allowed and paid out of the publick Treasury, to Mr. Attorney General *Dudley*, for the Service mentioned in his Petition. Sent up for Concurrence.

The Petition of *Ebenezer Coffin*, Praying as Entred the 11th Currant, further Considered, and the Report of the Committee thereon, *viz.* That his Petition be so far Granted, as that his Fine be Returned to him.

And the Question being put, *Whether the said Report be accepted?*

It pass'd in the Negative.

This House being sensible, that Mr. *Jonathan Belcher*, during his late Residence in *Great Britain*, has approved himself a Friend to this Province; and been Instrumental of effecting good Services for them.

Voted, That the Thanks of this House be given to him, in grateful Acknowledgement thereof. And that Mr. *Hutchinson*, Mr. *Lindal*, and Col. *Somersby*, be a Committee in the Name of this House to render the same.

A Bill Intituled, *An Act for Apportioning and Assessing a Tax of Eleven Thousand Pounds upon Polls and Estates.* Read a first time.

And then the House Adjourn'd till to Morrow Morning Nine a Clock. [17]

Mercurii 19, Die Junii 1717. A. M.

MR. *Hutchinson* from the Committee appointed Yesterday, to give the Thanks of the House to Mr. *Jonathan Belcher*, Acquainted the House, That they had attended the Order; And that Mr. *Belcher* there-upon said to them, That the Honour & Respect, which the Honourable House was pleased to do him, in a greatful Acceptance of his Sincere Endeavours to Serve them, during his late Residence in *Great Britain*, Did increase in him the Love he bore to his Native Country, and Encouraged him to be Studious for the future how he might best Serve their Interests: And that he should always think himself happy, when he had opportunities of so doing.

A Bill Intituled, *An Act for Apportioning & Assessing a Tax of Eleven Thousand Pounds upon Polls and Estates*. Read a 2d and a 3d time, and pass'd to be Engross'd. Sent up for Concurrence.

A Draugnt of a Humble Address to His Majesty, prepared by the Committee of both Houses, appointed for that end. Sent down from the Board, pass'd upon there, *viz*. In Council, *June* 18th. 1717. Read and Accepted.

Sent down for Concurrence. Read and Concurr'd.

A Bill Intituled, *An Act in further Addition to the Act for Encouraging the Killing of Wolves*. Read a 3d time. And pass'd to be Engross'd.

Sent up for Concurrence.

A Bill Intituled, *An Act for Reviving and further Continuing an Act Intituled, An Act for Explanation of and Supplement to the Act referring to the Poor*, &c.

Read a 3d time. And pass'd to be Engross'd. Sent up for Concurrence.

Mr. *Hutchinson* from the Committee appointed to Examine the Impost Officer's Accompts, made Report, That they had Perused the same. And find it will take up more time than can be allowed for a thorough Examination at this Session; but believe them to be just and right. And are humbly of Opinion that the Impost Officer be Directed to Settle and Ballance his Accompts with every Person Yearly, so that he may leave them ready to offer to this Court in their *May* Sessions. And that there be a standing Committee of Two Persons Annually appointed to Inspect the Accompts of the said Officer as often as they see cause; and make Report of their Doings to this House every Year at their Sessions in *May*. Which Report was accepted by the House, and a Vote sent up accordingly for Concurrence. *Edward Hutchinson* Esq; and Capt. *Joseph Wadsworth* being appointed a Committee for the said Service for the Year Currant.

A Draught of an Answer to the Complaints against this Government mentioned in Mr. Agent *Dummer's* Letter, Prepared by the Committee of both Houses. Sent down from the Board, pass'd on there, *viz*. In Council *June* 18th 1717. Read and Accepted. Sent down for Concurrence.

Read and Concurr'd.

A Message sent up to the Board by Mr. *Lindal*, and Capt. *Osgood*, That the House propose to proceed to the choice of a Treasurer, Attorney General, and Impost Officer this Afternoon, and desire the Honourable Board to joyn with them therein.

A Petition of *John Trask* jun of *Salem*, presented to the House and Read, Complaining of Injury done him by a High-way being laid through his Land, whereof he has Complained to the Court of General Sessions of the Peace in the said County, and can obtain no Relief: Praying Redress from this Court.

Ordered, That the said Petition be Dismist.

Whereas it is Represented to this House, That the Colony of Connecticut, *are Issuing out some New Settlements higher up the Country than the Line between this Gov-*

ernment, and that, has yet been Setled; and some Persons of this Province are desirous to make some further Inland-Settlements.

To the Intent that no Errors be Committed by the Inhabitants of either Government in Setling out of their respective Bounds.

Voted, That his Excellency the Governour be Requested to Write to the Government of *Connecticut*, Desiring them to Appoint and fully Impower Commissioners to joyn with Commissioners of the Government to Run, and continue the divisional Line between the Governments, by sufficient durable Marks, and Monuments, until they shall have Pass'd Five Miles to the Westward of *Houssatannuck* River.

That the said Commissioners be Desired and Directed to Perambulate the Line lately Setled between the Governments, and renew the Marks, and add more to them if they see it needful.

That *Samuel Porter*, *Samuel Thaxter*, and *John Chandler* Esqrs; be appointed and fully Impowred as Commissioners in behalf of this Province for the affairs aforesaid, who are Instructed to Govern themselves in the further Continuance of the Line by the Direction in the Royal Charter to the late Colony of the *Massachusetts-Bay*. And to make Report to this Court. [18]

A Bill Intituled, *An Act for Reviving and further Continuing of an Act Intituled An Act Directing how Rates and Taxes to be Granted by the General Assembly shall be Assessed & Collected.* Read and

Resolved, That the Bill do pass to be Enacted.

3 Post Meridiem.

The Petition of *Elizabeth Hobert*, praying as Entred the 8th Currant, Read again, and the Report of the Committee thereon, which was accepted by the House, and accordingly,

Ordered, That the Petitioner have leave to lay out Six Hundred Acres of Land in some unappropriated Province Lands, in one regular Tract, by a Skilful Surveyor, and Chain-men under Oath, and lay a Plat thereof before this Court for Approbation. Sent up for Concurrence.

The Petition of *Ebenezer Doan*, praying as entred the 18th Currant, Read again, and the Report of the Committee thereon, which was accepted by the House, and accordingly,

Resolved, That the Sum of *l.* 150 be allowed and paid out of the Publick Treasury towards the Building a Meeting-house for the Precinct at *Cape Codd*. And that *Thomas Pain* Esq; Capt. *Ebenezer Doan*, and Mr. *John Snow* be a Committee to receive and lay out the said Sum, and Build the House, of the Dimensions of 32 feet long, 28 feet wide, and 15 feet Stud, with Galleries on three sides And the Inhabitants of the said Precinct are obliged to keep the said House in Repair, and

supply such further Sum as may be needful to finish the House, if any be, which the Assessors of the Town of *Truro*, for the time being, are Impowred and Directed to Assess, and Gather in such manner as the Law Directs for the raising Money on the said Precinct, to make up their Ministers Salary, and deliver to the said Committee. Sent up for Concurrence.

The Petition of sundry Indian Inhabitants of the Island of *Nantucket*, pass'd upon in this House the 15th Currant: Sent down from the Board, pass'd upon there, *viz.* In Council *June* 19th. 1717. Read and Non-Concurr'd, and Voted, That the said Island of *Nantucket* be annexed to *Dukes County*, and that a Bill be brought in accordingly.

Sent down for Concurrence. Read and Non-Concurr'd, and

Voted, That the Honourable Board be Desired to Re-consider and Concur with the Vote of this House the 15th Currant.

A Petition of *Thomas Prentis*, *Nathanael Jones*, *Ichabod Brown*, and *Daniel Henchman* (in behalf of himself, and the Heirs of Maj. *Daniel Henchman*) Presented to the House & Read, praying, That they may be allowed one Year more, for Building & Setling on their Lands in the Town of *Worcester*, the Three Years Limited, by this Court for that end under Penalty of Forfeiture of the said Lands being Laps'd.

Ordered, That the prayer of the Petition be granted.

Sent up for Concurrence.

The Petition of *William Denison* of *Roxbury*, praying as entred the 12th Currant. Sent up to the Board.

An Ingross'd Bill, Intituled, *An Act for Reviving and further Continuing of an Act intituled, An Act for Explanation of and Supplement to the Act referring to the Poor*, &c. Read and

Resolved, That the Bill do pass to be Enacted.

The Petition of the Innholders and Retailers of the Town of *Boston*, praying as entred the 11th Currant. Read again, and the Act it refer's to. And the Question being put, *Whether the prayer of the Petition be Granted?*

It pass'd in the Negative.

A Message from the Board by *Thomas Fitch* and *Elisha Cooke* Esqrs; That they are now ready to joyn with the House in the choice of a Treasurer, and other Officers as proposed by the House. The House proceeded to prepare their Votes for a Treasurer.

Ordered, That Capt. *Savage*, and Capt. *Dowse* be a Committee to carry up the said Votes, and those for the other Publick Officers now to be chosen, and assist in sorting and numbring them with the Votes of the Board, and Report the choice that shall be made.

The said Committee carried up the Votes of the House for a Treasurer of this Province, And Returned, That Mr. *Jeremiah Allen* was chosen by a major part of the Voters.

The House brought in their Votes for an Impost Officer.

Which were cerried up by the said Committee. Who Returned, That Mr. *Daniel Russel* was chosen by a major part of the Voters.

The House brought in their Votes for an Attorney General, which were carried up by the said Committee: Who Return'd, That *Paul Dudley* Esq; was chosen by a major part of the Voters.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

BOSTON: Printed and Sold by B. Green. 1717. [19]

VOTES of the House of Representatives.

Jovis 20. Die Junii, 1717. A. M.

Ordered, That a Message be sent up to the Board, Moving that a Day of Publick Prayer with Fasting, be in a short time appointed, and Solemnized throughout the several Towns of this Province, upon the various occasions thereof, and particularly the awful Frowns of Heaven in the distressing early Drought.

Mr. *Hutchinson* from the Committee appointed, laid before the House a Draught of a Bill, Intituled, *An Act in Addition to and Explanation of Two Acts referring to the Regulating of Fees.* Which was Read.

A Petition of *John Campbell* Post-master of *New-England*, praying Allowance for Publick Letters, and towards the charge of his Weekly News-Letter, with an Accompt for the Year past Amounting to *l.* 57 3 *s.* 8 *d.* Sent down from the Board having been Read there. Read.

The Petition of *John Lane*, *&c.* praying as Entered the 18*th.* Currant, Read again, and the Report of the Committee thereon, which was accepted by the House, & accordingly,

Resolved, That the Sum of *Thirty Pounds* be allowed and paid out of the Publick Treasury towards the Support of the Ministry at *Winter Harbour*, for one Year, to begin the first Day of *October* next; if they have a Minister, and proportionably for what time they shall have one. Sent up for Concurrence.

An Accompt of *Bartho. Green*, Printer, of work done for the Province, since *June* 28. 1716. amounting to the Sum of *l.* 54 17 *s.* 9 *d.* presented to the House for Payment. Read and

Resolved, That the Sum of *l.* 54 17 *s.* 9 *d.* be allowed and paid out of the Publick Treasury to the said Accomptant, to Discharge his Accompt.

Sent up for Concurrence.

A Petition of *Philip English* of *Salem*, praying Consideration, and Allowance for a great part of his Estate taken from him (as was said) by lawful Authority in the late Sorrowful time of the Witchcraft. Sent down from the Board, Read there. Read.

The Petition of *Samuel Morris*, &c. praying as entred the 7th Currant, further Considered, and the Report of the Committee thereon, *viz.* That the Petitioners be referred to the Common Law for Relief. Which was accepted by the House.

Ordered, That the Commissioners appointed by this Court to joyn in continuing the Line between this Province and *Connecticut*, be Instructed to continue and finish the Line between the Towns of *Springfield* and *Enfield*, begun by the late Commissioners, at the charge of the said Town. Sent up for Concurrence.

A Bill Intituled, *An Act to enable the Commissioners for Bankrupts Estates to finish the Business of their Commissions.* Read twice.

Half an Hour past 3 Post Meridiem.

The Petition of *Thomas Knowlton*, and *Jeremiah Buckman*, praying as entred the 30th of *May* last, further considered, and the Report of the Committee thereon; which was accepted by the House, and agreeable thereto:

Ordered, That the Petitioners serve the Precinct of *Chebacco* with a Copy of this their Petition, That they may shew reason, if any they have, why the prayer thereof should not be granted, to this Court on the first Tuesday of their Sessions in the next Autumn. Sent up for Concurrence.

Ordered, That the Treasurer be Directed to put in Suit, the Bonds of all such who have any part of the first *l.* 40000. Loan of Publick Bills that was Lent to enable them to furnish Supplies to the Army and Fleet, that was design'd in the late War against *Canada*, under Command of General *Hill*, and Admiral *Walker*. If the Obligors do not Discharge their Bonds within One Month after the time Expires, that the said Loan was continued to them for. Sent up for Concurrence.

A Bill Intituled, *An Act Granting unto His Majesty several Rates and Duties of Impost and Tonnage of Shipping*. Read twice, and pass'd to be Engross'd.

Sent up for Concurrence.

Resolved, That the Treasurer be and hereby is Directed, and Impowered to Issue forth and Emit of the Bills of Publick Credit, received into the Treasury, the Sum of *Three Thousand Pounds*, for Payment of the Publick Debts of the Province already Contracted, for the Defence and Support of the Government, and the necessary Protection, and Preservation of the Inhabitants of this Province, and for the Subsisting of Forts and Garrisons, and Wages arising for their Service, for payment of Grants, Salaries and Allowances, Made or to be made by this Court, according to such Draughts, as from time to time shall be made upon him, by Warrant or Order of the Governour or Commander in Chief, for the time being, and by and with the Advice and Consent of the Council. And the said Bills shall pass out [20] of the Treasury at the value therein expressed equivalent to Money; and shall be taken and accepted in all Publick Payments, at the Advance and after the Rate of *Five Pounds per Cent.* more. And as a Fund and Security for the same, There be and hereby is Granted to His Most Excellent Majesty, to the ends, and uses as aforesaid, a Tax of *Three Thousand Pounds*, to be Levied on Polls and Estates, both real and personal within this Province, according to such Rules, and in such Proportion, upon the several Towns and Districts within the same, as shall be agreed on, and ordered by the Great and General Court or Assembly of this Province at their Session in *May* 1720. and paid into the Treasury on or before the last day of *December* next after. Sent up for Concurrence.

Ordered, That a Message be sent up to the Board by Col. *Thaxter*, Mr. *Toy*, and Mr. *Remington*, That this House being Informed that His Majesty's Ship for

the Guard of this Coast is arrived, Desire that the Sloop taken up for that Service, may be discharged.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Veneris 21. Die Junii. 1717. A. M.

R*Esolved*, That the Sum of *Five Hundred Pounds* be allowed and paid out of the Publick Treasury to His Excellency SAMUEL SHUTE Esq; Captain General, and Governour in Chief of this His Majesty's Province, for his Support in managing the Affairs of the Government. Sent up for Concurrence.

Resolved, That the Sum of *Four Hundred Pounds* be allowed and paid out of the Publick Treasury to the Honourable the Judges of the Superiour Court of Judicature, in Proportion to the Courts they attended the Year past.

Sent up for Concurrence.

Resolved, That the Sum of *Thirty Pounds* be added to the Allowance of the Reverend Mr. *John Leverett*, President of Harvard College, for the Year Currant, beginning in *January* last; and paid to him out of the Publick Treasury.

Sent up for Concurrence.

Resolved, That the Sum of *Two Hundred* and *Fifty Pounds* be allowed and paid out of Publick Treasury to Mr. *Jeremiah Allen*, Treasurer of this Province, for his Service the Year past, his Trouble being extraordinary in changing the Bills of Credit, and taking care for a Supply of the Garrisons, *&c.*

Sent up for Concurrence.

Resolved, That the Sum of *Twenty Pounds*, be allowed and paid out the Publick Treasury to Mr. *John White*, Clerk of this House, in part for his Service for the Year Currant. Sent up for Concurrence.

Resolved, That the Sum of *Twenty-five Pounds*, be allowed and paid out of the Publick Treasury to Mr. *John Flagg* Door-keeper to His Excellency the Governour, and this Court, for his Service half a Year, ending the 26th Currant.

Sent up for Concurrence.

A Bill Intituled, *An Act to enable the Commissioners for Bankrupt Estates, to finish the Business of their Commissions.* Read a 3d time and pass'd to be Engross'd. Sent up for Concurrence.

A Bill Intituled, *An Act in Addition to and Explanation of Two Acts referring to the Regulating of Fees*, &c. Read a 2d, and 3d time, and pass'd to be Engross'd.

Sent up for Concurrence.

A Message sent up to the Board by Mr. *Hutchinson*, Mr. *Lindal*, Col. *Somersby*, and Capt. *Chambers*, and Capt. *Osgood*, Moving, That the Business of the Session may be so Expedited, as that the Court may Rise to Morrow, if it may be Conveniently.

Ordered, That the Representatives of the Towns of *Boston*, *Charlstown*, and

Roxbury, with such as the Honourable Board shall Nominate be a Committee, at any time (between this Session, and the Session of this Court in *May* next) when the Treasurer shall have *Two Thousand Pounds*, or more of Bills in the Treasury, that are Defac'd and unfit for use, at his application to them, to take an account of the Number of each of the sorts of the said Bills, and the Sum the whole amounts to, and give the Treasurer Receipt for them, and Burn the said Bills to Ashes; and make Report of their Doings to this Court as often as there shall be opportunity, whose Receipt shall be a Discharge to the Treasurer equal to what the said Bills would have been if they had continued in his hands.

Sent up for Concurrence.

A Report of a Committee of the Honourable Board appointed by His Excellency and Council to provide an Able, Ordained Minister, to Endeavour the Conversion of the *Eastern Indians*, pursuant to the Votes of this Court in *November* last, Shewing what steps they had taken in that affair. Read, and

Voted, That it be still left with His Excellency and Council to proceed in the said Affair agreeable to the Votes of this Court. Sent up for Concurrence. [21]

A Report of *Abraham Prebble*, *Lewis Bane*, and *Samuel Cane*, a Committee appointed by this Court the last Year, to Report how the dividing Line ought to be Setled between *Wells* and *Kittery*. Read and Accepted.

Sent up for Concurrence.

Half an Hour past 3 Post Meridiem.

A Petition of *Lewis Bane* and *William Sawyer*, Presented to the House and Read, Praying, That the Town of *York* may be now restored to their Right and Priviledge, as the Shire Town of that County, and that the Superiour Court of Judicature, *&c.* and the Inferiour Court of Common Pleas, may be held there as formerly.

Ordered, That the said Petition be Referred to further Consideration, in the Session of this Court the next Autumn.

Elisha Cooke Esq; brought down the Bill, Intituled, *An Act for the Granting unto His Majesty, several Rates and Duties of Impost, and Tunnage of Shipping*, Concurr'd by the Board, with Amendments, to which they desir'd the Concurrence of the House. Read and Concurr'd.

A Petition of *Peleg Sloman* and *John Tucker* of *Dartmouth*, in behalf of themselves and the rest of the People of the said Town called Quakers, Praying Redress of the Injuries they suffer, by having their Cattel and Sheep taken from them from time to time, on account of their Ministers Rate. Sent down from the Board, Pass'd upon there, *viz.* In Council, *June* 14th. 1717. Read, and

Ordered, That the Complainants serve the Adverse Party with a Copy of this Complaint, that they may be heard thereon before this Court on the Second Wednesday in the Fall Session.

And in the mean time all Proceedings against the said *Peleg Sloman* and *John Tucker*, relating to the Charge of the Ministry be suspended, and that the Constables who made Distress on the Complainants Estates, bring with them a List of the Rates. Sent down for Concurrence. Read.

Ordered, That the said Petition be referred to the next Sessions, no Evidence of the Matter of Fact alledged in the Petition appearing.

A Petition of *Cyprian Whipple* of *Ipswich*, Administrator to the Estate of *William Simonds*, Son and Heir of *Samuel Simonds* Esq; deceas'd; Presented to the House and Read, Praying Liberty to lay out 800 Acres of Land, to fulfil a Grant made to the said *Samuel Simonds* by the General Court in *May*, 1661.

Ordered, That the Petitioner have leave to lay out Eight Hundred Acres in a regular Form, in some ungranted Lands, by a Surveyor and Chain-men under Oath, and return a Plat thereof to this Court for Approbation.

Sent up for Concurrence.

The Honourable *Samuel Sewall*, *Pen Townsend*, *John Leverett*, and *Thomas Fitch* Esqrs, a Committee appointed by the Trustees for the Improvement of Mr. *Hopkins*'s Legacy, were admitted into the House, and presented their Memorial, Praying this Honourable Court to order a Skilful Surveyor and Chain-men under Oath, to view the uncertain Bounds of such Tracts of Land as are claimed by former Grants from the General Court, within the Township of *Hopkinston*, and especially of a Grant called *Whitehall Farm;* and that Mr. *Joseph Sherman*, the Surveyor who laid out the said Farm, may be obliged under Oath, to shew the several Lines and Boundaries thereof.

Ordered, That the Prayer of the Petition be Granted. And *Samuel Thaxter* and *John Chandler* Esqrs, are appointed Surveyors to perform the Service.

And that Mr. *Joseph Sherman* be directed to attend them to the Place, and shew them upon Oath how, & where he protracted the Tract of Land above mentioned. Sent up for Concurrence.

Two Engrossed Copies of the Humble Address of this Court to His Majesty, Sent down from the Board, Read and Sign'd by Mr. Speaker in the Name of the House.

The following Vote sent down from the Board, *viz.* In Council, *June* 21. 1717.

Resolved, That *Eliakim Hutchinson*, *Addington Davenport* Esqrs, and Mr. Treasurer *Allen*, be Directed and Impower'd to inspect the Bonds of such Persons, who have or may have the Payment of the Loan Money, supplyed to the *Canada* Expedition, Respited, or further Continued; and to take other or better Security, if they judge it needful; and in Default of giving such Security, that the Bonds be forthwith put in Suit. Sent down for Concurrence.

Read and Concurr'd.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Sabbati 22, Die Junii, 1717. A. M.

AN Accompt of Treasurer *Allen*'s of Debts due from sundry Persons for Exise, *Annis*, 1713, and 1714, which cannot be recovered &c. Amounting to the Sum of *9 l.* Read, and

Ordered, That the Sums above mentioned be abated, amounting to the Sum of *9 l.* And that the Treasurer be discharged of the said Sum.

Sent up for Concurrence.

A Petition of *Andrew Belcher* Esq; and *Jonathan Belcher* of *Boston*, Merchants, Presented to the House & Read, Praying, That *Fourteen Hundred Pounds*, part of the Sum Lent to them in Bills of Credit out of the Publick Treasury, *Anno*, 1711, to assist them to furnish Stores to General *Hill* and Admiral *Walker*, for the Army & Fleet under their Command, bound on an Expedition to *Canada*, may be Lent to them for one Year more, for Reasons therein given, and more especially, for that the Petitioners Goods were by the Authority taken from them for the Service aforesaid, to the Value of *l.* 2115 6 *s.* 10 *d.* more than they could obtain to be Lent them in Publick Bills.

Ordered, That the Prayer of the Petition be Granted. The Case of the Petitioners being different from others concerned in the 40000 *l.* Loan. [22]

A Petition of *Edward Hutchinson*, *Habijah Savage*, *John Ballantine* Jun. *Edward Winslow*, and *Jonathan Pollard*, in behalf of the Artillery Company in *Boston*, Presented to the House and Read, Praying, That 500 Acres of Land, which are reserved to the Province in the Township of *Rutland*, may be Granted to the said Company, to satisfy a Grant made to them by the General Court, *October* 15. 1673.

Ordered, That 500 Acres of the 1000 reserved to the Province in the Township of *Rutland*, be Granted in Answer to this Petition: But so that *John Burril* Esq; to whom the other 500 Acres is Granted, have the Choice at which End to lay out his Grant. Sent up for Concurrence.

An Accompt of *Robert Ellis* Surgeon, of his Applications to Serj. *Daniel Tucker* for two Years past, for the Cure of a Gun-shot Wound he received in his Body, in the late War with the Indians. Presented to the House for Allowance.

Resolved, That the Sum of *Twenty Pounds*, be allowed and paid out of the Publick Treasury to Doctor *Robert Ellis*, in full of his said Accompt.

Sent up for Concurrence.

An Accompt of *Joseph Marion*, his Engrossing the Journal of this House for their three last Sessions, amounting to the Sum of *l.* 5 18 *s.* Presented to the House for Allowance. Read, and

Resolved, That the Sum of *l.* 5 18 *s.* be allowed and paid out of the Publick Treasury to Mr. *Joseph Marion*, to discharge his Accompt. And that he insert proper Marginal Referrences in the Journal which he has Engross'd.

Sent up for Concurrence.

An Engross'd Bill, Intituled, *An Act for Apportioning and Assessing a Tax of Eleven Thousand Pounds, upon Polls and Estates.* Read, and

Resolved, That the Bill do pass to be Enacted.

An Engross'd Bill, Intituled, *An Act for Granting unto His Majesty several Rates and Duties of Impost, and Tunnage of Shipping.* Read, and

Resolved, That the Bill do pass to be Enacted.

An Engross'd Bill, Intituled, *An Act in Addition to, and Explanation of Two Acts, referring to the Regulating of Fees*, &c. Read, and

Resolved, That the Bill do pass to be Enacted.

An Engross'd Bill, Intituled, *An Act to Enable Commissioners for Bankrupt Estates, to finish the Business of their Commissions.* Read, and

Resolved, That the Bill do pass to be Enacted.

A Message from the Board by *Andrew Belcher*, *John Clark*, and *Addington Davenport* Esqrs, That the Owners of the Sloop which was improved a short time in the Defence of the Coast, Complain of great Damage they have sustained thereby. And the Board propose, That a Sale of some other Stores which were provided at the Province Charge for the fitting the said Sloop, amounting to about 34 *l.* may in Consideration thereof be given to the said Owners.

Ordered, That a Message be sent up to the Board by Col. *Thaxter* and Maj. *Noyes*, That the House agree to the said Proposal.

A Message from the Board by *Samuel Sewall* Esq; That His Excellency with the Advice of the Council, had appointed Thursday the 11th Day of *July* next, to be kept a Fast throughout this Province, agreeable to the Motion of this House.

A Message sent up to the Board by Mr. *Hutchinson* and Capt. *Chambers*, That the House desire to know whether the several Bills and Votes of this House, that have been sent up for Concurrence this Session, are pass'd through the Court, excepting those whereof the House has been advis'd.

A Message from the Board by *Thomas Hutchinson* and *Samuel Brown* Esqrs; That all the Bills and Votes as aforesaid are Pass'd. And that His Excellency Directs that this House do now attend him in the Council Chamber.

Mr. Speaker and the House went up. And His Excellency was pleased to Speak to the Court, as follows, *viz.*

Gentlemen,

I *Return you Thanks for what you have done for Me; tho' I must take leave to inform you, That the Expence I am at, even with decency to Support my Character, is greater than you may possibly imagine.*

I am inform'd, That some ill minded Persons have industriously spread it abroad, that I have Sold Employments. I take therefore this opportunity to assure you, That this Report is Villanous, False and Scandalous, and declare to you upon my Word and Honour, That I never have, nor will Sell any Place, but shall do my utmost en-

deavour in the disposition of all Offices and Employments, wholly to consult the Merits, Capacities, Prudence, Faithfulness, Loyalty and Virtue, of the Persons that I design shall enjoy them.

The Unanimity with which you have proceeded in the Affairs of this Session is Praise worthy, and I question not but it will produce its good Effects. I believe the business you had before you, is as far finished, as your Private Affairs, and the Season of the Year will permit, and that you will be glad to go Home: I do therefore Prorogue you to the Twenty-seventh *of* August.

BOSTON: Printed & Sold by B. Green. 1717. [23]

Anno Regni Regis GEORGII nunc Magnæ Britanniæ, &c. Quarto.

JOURNAL

Of the HOUSE of Representatives.

At a Great and General Court or Assembly of His Majesty's Province of the Massachusetts-Bay in New-England, begun & held at Boston, upon Wednesday the 29th Day of May, Anno Domini 1717. and continued by Prorogations to Wednesday the 23d Day of October next after, and then met.

A Letter from Mr. *Joseph Hammond*, and a Letter from Mr. *Benj. Jones*, excusing their not attending the House, Read.

A Message from His Excellency the Governour by *Penn Townsend*, and *John Wheelright* Esqrs; That the House do now attend him in the Council Chamber.

Mr. Speaker and the House went up accordingly. And his Excellency made a Speech to the Court, and gave a Copy thereof to Mr. Speaker, who with the House return'd to their own Chamber.

His Excellency's Speech Read, and is as follows, *viz.*

GENTLEMEN,

SINCE our Last Sessions, upon the Advice of the Council and at the pressing Instance of the Eastern Indians, *I have been at the Island of* Arrowsick, *where I met with a considerable Body of the* Indians *of those Parts with their Sachems, and have in His Majesty's Name ratified & confirmed the former Treaty's of Pacification; and accepted their Submission, with promises of Allegiance to King* GEORGE, *and very great Assurances of Peace, Friendship and Faithfulness to this Government: As you will find by an account of that Transaction to be laid before you, so that I hope by the favour of GOD, we may depend upon having Peace in our Borders, if we on our part are but wise for our Selves and just to them.*

I have very lately, Pursuant to the Act of Parliament, for the Suppression of Piracy, and a Commission founded thereon, and inrolled in this Province, with His Majesty's Proclamation in the beginning of His happy Reign, as also His most Express Instructions to Me for that purpose, Opened and Held a Special Court of Admiralty, for the Tryal of the Pirates we have had so long in Prison; And I doubt not, but that the great Care, Zeal and Justice of the Court in that Matter, will very much repute and Honour us, and have a good tendency to prevent the like Piracy's for the future.

I have no late Commands from His Majesty to lay before you at this time, so that you will have the greater leasure to attend and sooner finish the Ordinary Affairs of the Province, and this being your usual time of the Year for it, I hope you will apply your Selves to the consideration and dispatch thereof accordingly, and therein, not suffer your Selves to be delay'd, hindred or diverted by the Affairs, Designs or Insinuations of any private particular Persons, but be always and wholly Imployed in the general Affairs of the Government and Province, and also Animated and Acted by a Publick Spirit, wherein you shall always have my ready and sincere Incouragement and Concurrence.

SAMUEL SHUTE.

Mr. *Eaton* made his Excuse to the House for his absence the last Session.

Ordered, That his Excuse be accepted. And the said Member was sent up to the Honourable Board to be qualified by taking the Oaths, *&c.*

A Petition of *Edward Johnson*, in behalf of himself and the other Heirs of Capt. *Edward Johnson* late of *Woburn*, deceased: presented to the House and Read, Praying liberty to take up, and lay out 200 Acres of Land, in a proper figure in some place not yet granted, by a Surveyor and Chain-men under Oath, to satisfy a Grant made to the said Capt. *Edward Johnson*, *Anno* 1663. and present a Plat to this Court for confirmation. Committed. [24]

A Petition of *Hugh Pike* of *Newbury*, Presented to the House and Read, Shewing, That he continues a Creple, and disabled from getting a Lively-hood for himself and Family, by reason of a wound that broke his Thigh which he received in the Publick Service in the late War with the Indians, and which is not healed: Praying Relief.

Resolved, That the Sum of Fifteen Pounds be Allowed and Paid out of the Publick Treasury to *Hugh Pike* the Petitioner, for his Relief.

Sent up for Concurrence.

3 Post Meridiem.

A Report sign'd *Henry Hodges*, *William Basset* & *William Southworth*, a Committee appointed the 31st Day of *May* last, to consider the Petition of *John Brandford*, *Jacob Cooke*, &c. and report their opinion thereon, Presented to the House and Read, Purporting that they are of opinion the prayer of the Petition should be so far granted, That a Township be Erected, the Bounds thereof to be altered from the Plat the Petitioners propose, as in the said report is particularly set forth.

A Petition of *William Shurtlef*, Representative of the Town of *Plimpton*, in the Name, and *per* order of the said Town, Presented to the House and Read, praying, That the said Report may not be confirmed until the said Town be heard;

And the Representative of the Town of *Plymouth* making the same motion in behalf of his Town.

Ordered, That *John Bradford*, &c. Petitioners, serve the Towns of *Plymouth*, *Plimpton*, *Duxbury* and *Pembroke*, with a Copy of this Report, That they may be heard what they have to object against the Accepting and Confirming thereof on Wednesday the Sixth Day of *November* next. Sent up for Concurrence.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Jovis 24, Die Octobris 1717. A. M.

MR. Treasurer *Allen* was admitted into the House and Exhibited, an Account of the present State of the Treasury, which was Read, and he withdrew.

A Message from the Board by *John Higginson* and *Isaac Winslow* Esqrs; Inquiring what the House had passed on the Petition of *Peleg Slocum* and *John Tucker* of *Dartmouth*, which was pass'd upon at the Board, and sent down the last Sessions.

Mr. Speaker sent up the said Petition by Col. *Hutchinson*, & Major *Savage*, with Direction to acquaint the Honourable Board with the Vote pass'd thereon by this House the 21th of *June* last, which they did and left the Petition.

Half an Hour past 3 Post Meridiem.

Ordered, That Major *Savage*, Col. *Thaxter*, Mr. *Lindel*, Mr. *John Denison*, Mr. *Remington*, Capt. *Chambers*, Mr. *Porter*, Mr. *Lothrop*, Capt. *Southworth*, Mr. *Jennings*, Maj. *Skiff*. Mr. *Sawyer*, and Mr. *Coffin* be a Committee, to project, and propose to the House a method whereby, a more exact Valuation of the Estates of the several Towns of this Province, may be obtained, in order to a more equal Proportioning and Levying of Publick Taxes.

A Bill Intituled, *An Act, in Addition to the Act for High Ways.*

Read a first time.

And a Motion being made, and the Question being put, *Whether the Bill be read a 2d time?* It pass'd in the Negative.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Veneris 25, Die Octobris, 1717. A. M.

A Plat of 250 Acres of Land, laid out adjoyning to the South-East Line of the Town of *Worcester*, by *David Haynes*, Surveyor, and Chain-men under Oath, pursuant to an Order of this Court past the first of *June* last, in answer to the Petition of *Ephraim Curtiss*, presented to the House for Confirmation.

Ordered, That the Land Deseribed in the said Plat be allowed, Granted & Confirmed as the 250 Acres of Land, Granted in the Year 1674. to *Ephraim Curtiss*, provided it Interfere with no former Grant. Sent up for Concurrence.

A Plat of 150 Acres of Land laid out Contiguous to the Land in the Plat last mentioned, and by the same Surveyor with Chainmen under Oath, agreeable to an order of this Court, past in *June* last, upon the Petition of *Malachi Holloway*, Presented to the House for Confirmation. [25]

Ordered, That the Land Contained and Delinated in the said Plat be allowed, Granted, and Confirmed as the 150 Acres Granted to *William Holloway Anno* 1662, provided it Interfere with no former Grant. Sent up for Concurrence.

A Petition of *Nathaniel Fadre*, Praying that *Twenty Seven Pounds* may be allowed out of the Publick Treasury, and paid to him for Piloting his Majesty's Ships *Rose* & *Squirrel* from *Boston* to *Nantasket*, and from *Nantasket* to *Boston*, &c. Sent down from the Board. Read &

The Question being put whether any Sum be Granted, in Answer to the said Petition? It passed in the Negative.

Penn Townsend, Esq; brought down from the Board the Petition of *Peleg Slocum* & *John Tucker*, Praying as entered the 21st of last *June*, for this House to proceed upon Vouchers to the Allegations thereof being now brought with it.

Mr. Speaker sent up to the Board for the Petition of *Thomas How*, *Isaac Amsden*, &c. Passed upon in this House the 30th of *October* 1714 which was not then passed on at the Board. The said Petition brought down and Read.

Ordered, That the Prayer of the Petition be Granted. Sent up for Concurrence.

Mr. *Prince* now making his Appearance, was sent up to the Board to be qualified by taking the Oaths, *&c.*

A Petition of *John Usher*, Esq; brought down from the Board, by *John Higginson*, *Andrew Belcher* and *Elisha Cooke*, Esqrs; with a Message moving the House to Consider and Reward his Service in Purchasing the Province of *Maine* for this Province. Upon a Motion being made

Ordered, That a Bill be brought in to regulate the Price of Shoes, and that Capt. *Fullam*, Mr. *Parsons*, and Col. *Hutchinson* prepare the same.

3 Post Meridiem.

The Petition of *Peleg Slocum* & *John Tucker*, mentioned in the Forenoon, Read and further Considered of

Voted That the Petition be Dismist inasmuch as the Petitioners may have their Remedy in the Law, if the Constables, or other Officers are Chargeable with any Misfeasance. Sent up for Concurrence.

A Report Sign'd by *Samuel Thaxter*, *John Chandler* and *Jonathan Remington*, a

Committee appointed the 31st Day of *May*, to Consider the Petition of *Isaac Amsden* and 66 others. Presented to the House and Read.

A Petition of *Peter Smith*, *John Smith*, &c by *Wigglesworth Sweetser* their Attorney, presented to the House and Read, praying as that entred the 12th of *April* last, with further request added thereto, That if the Court don't see cause to Grant their Petition, they will allow them a Hearing before they Deny it.

A Plat of the Town of *Deerfield*, taken pursuant to the Order of this Court the 11th of *June* last, presented to the House for Confirmation. And

A Petition of *Samuel Partridge*, *John Stoddard* and *Henry Dwight*, Committee for *Northfield*, presented to the House and Read, praying that the said Plat may not be confirmed, for reasons therein alledged.

John Appleton, and *Addington Davenport* Esqrs; brought down from the Governour an Account of the Interview his Excellency lately had with the Eastern Indians.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Sabbati 26. Die Octobris 1717. A. M.

THe Account of his Excellency's Interview with the Eastern Indians, which was brought down yesterday. Read, and

Ordered, That the Thanks of this House be humbly Rendred to his Excellency the Governour by Col. *Hutchinson*, Mr. *Tay*, Capt. *Chambers*, Mr. *John Denison*, and Capt. *Dowse*, for the Care and Pains He has taken for the Service of this Province, in his late Voyage to *Arrowsick* Island; and the wise Management of his Interview with the Eastern Indians there. Particularly his steady Asserting and Maintaining the just Right, and Title of the English Subjects to their Lands in that Country: And at the same time assuring the Indians of Protection with Justice and Kindness, from this His Majesty's Government while they Approve themselves good Subjects to His Majesty KING *GEORGE*. Whereby they have been Disposed to renew their former Treaties of Pacification: and [26] Recognize their submission and Allegiance to His Majesty, from whence there is a hopeful Prospect of Quiet and Safety to His Majesty, who are Resetling in those Parts.

A Petition of *George Phillips* Clerk late Minister of the Town of *Brookfield*, Presented to the House and Read, Praying that he may enjoy and have Confirmed to him *Ninety* Acres of Land formerly Granted to him in the said Town for reasons therein assign'd. Committed.

The Plat of the Township of *Deerfield*, Exhibited Yesterday, further Considered, being protracted by *Timothy Dwight* Surveyor, and entered thereon that the Chain-men were under Oath, but omitted to be entred that the Surveyor was.

Ordered, That the Lands Protracted and Delineated in the said Plat, be the Township of *Deerfield*. Provided, It does not exceed the quantity of Seven Miles

Square, and be laid out agreeable to the Grants made to the said Town, and do not Interfere with any former Grant. Sent up for Concurrence.

A Petition of *Thomas Ayers*, *Joseph Ayers*, &c. further inforcing their Petition offered the 12th of *June* last, presented to the House and Read. Committed.

A Bill Intituled, *An Act for the better Regulation of Fowling.* Read.

The Committee made their Report on the Petition of *Thomas Ayers*, *Joseph Ayers*, &c. which was accepted by the House, and accordingly,

Ordered, That the Committee for *Brookfield* be served with a Copy of the said Petitions; And that they appear before this Court, on the Second Thursday of the next *May* Sessions, to shew reasons why they Declared the Petitioners Lands to be forfeited. Sent up for Concurrence.

And then the House Adjourn'd till Monday next three a Clock in the Afternoon.

BOSTON: Printed & Sold by B. Green. 1717. [27]

Province of the Massachusetts-Bay

VOTES

of the House of Representatives.

Lunæ 28. Die Octobris, 1717. P. M.

A Petition of *Richard Dollof* of *Exeter* in the Province of *New-Hampshire*, Presented to the House and Read, Praying Assistance towards Defreying the great charge he has lately been at in going to *Canada*, to recover three of his Children, that were carried Captive thither by the Indians in the late War.

And the Question being put, Whether any Sum be Granted in answer to the said Petition? It pass'd in the Negative.

A Petition of *Pain Mayhew* Clerk, of the Town of *Chilmark*, in behalf and *per* order of the said Town, Praying that the Estate of *Peleg Slocum* and *John Tucker* Quakers may be exempted from paying towards the Maintenance of the Ministry, and all Ecclesiastical charge in the said Town, and that the said Town may be enabled to raise their Ministers Salary, and Ecclesiastical charge without Rating their Estates, Sent down from the Board, pass'd on there, *viz.* In Council *October* 25th 1717. Read and ordered that the Prayer of the Petition be Granted.

Sent down for Concurrence. Read and Non-Concurr'd.

A Bill Intituled, *An Act for the better Regulation of Fowling*, Read a 2d time.

A Petition of *Susanna Gray* Widow, Relict and Administratix to the Estate of *Samuel Gray* late of *Boston* Deceased, *John Gray* and *Benjamin Gray*, Sons of the Deceased, Presented to the House and Read, Praying this Court to Impower themselves, or others to make Sale of a House and Land that was the Deceased's, which cannot well be divided, to pay the Debts of the Estate; the Surplusage of the produce thereof to be divided, as is directed for the Estates of Intestates.

Committed.

Mr. Speaker sent Maj. *Chandler*, and Mr. *Mandsley* up to the Board, to Inquire for a Bill sent up for Concurrence the last Sessions: Intituled, *An Act in further Addition to the Act for Encouraging the Killing of Wolves.*

Ordered, That a Message be sent up to the Board by Col. *Hutchinson*, Mr. *William Denison*, and Mr. *Porter*, Desiring, That a Day of Publick Thanksgiving to Almighty GOD, may be Appointed & Celebrated throughout this Province, upon the various Grounds and Occasions for it.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Martis 29. Die Octobris 1717. A. M.

COl. *Thaxter* presented to the House an Accompt of the charge of Building a Hospital on Spectacle Island, amounting to *l.* 173. which was Read, and *Ordered*, That Capt. *Chambers*, Mr. *Porter*, and Capt. *Fullam*, be a Committee, to Examine, and Audit the said Accompt, and make report to the House.

A Petition of *Ruth Everton*, Widow, relict of *William Everton*, and Sole Executrix of his last Will and Testament: praying, That She may be Enabled to Sell a House & Land, that was her said Husbands for her necessary relief & support. Sent down from the Board, pass'd on there, *viz. October* 26. 1717.

Resolved, That the Petitioner is fully Impowred by the Will of her said late Husband, to make Sale of his real Estate. Sent down for Concurrence.

Read and Non Concurr'd, Inasmuch as this House is of Opinion, That the Construction of the Will does not lie properly before this Court.

The Petition of *Pain Mayhew*, in behalf of the Town of *Chilmark*, pass'd upon in this House Yesterday, Sent down from the Board, further pass'd upon there, *viz.* In Council *October* 28th 1717. In consideration that the Inhabitants of *Elsabeth-Islands*, are at so remote a Distance, that they cannot attend the Publick Worship of God, at *Marthas Vineyard*, *Ordered*, That the said Islands be Exempted from paying any charge to the Ministry, at *Marthas Vineyard*, until further order. Sent down for Concurrence.

Read, and Non-Concurr'd. [28]

A Bill Intituled, *An Act for the better Regulations of Fowling*. Read a 3d time. And pass'd to be Ingross'd. Sent up for Concurrence.

Capt. *Chambers* from the Committee appointed to Examine the Accompt of the Building the Hospital on Spectacle Island, made Report, That they had Examined the same, and find it right Cast and well Avouch't, and know no reason why it should not be allowed and paid.

Resolved, That so much be further Allowed and Paid out of the Publick Treasury as with what has been already paid on this Account, shall make up the Sum of One Hundred and Seventy three Pounds, to Discharge the Accompt.

And the Committee are Desired to Proceed in making a Fence and Well at the best rate they can. Sent up for Concurrence.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Mercurii 30. Die Octobris 1717. A. M.

A Petition of *Gurdon Saltonstall* Esq; Presented to the House and Read, Shewing That the General Court of the late Colony of the *Massachusetts-Bay*, Did in the Year 1650 Grant to *Robert Saltonstall* Three Thousand acres of Land, for *l.* 400 which his Father Sir *Richard Saltonstall* Laid out in the common Stock with a Proviso, that it should be laid out in October then next following,

But was then omitted & has not hitherto been done, Praying, That it may now be Granted, to the next Heirs of the said *Robert Saltonstall.*

A Petition of *Nicholas Coat, Daniel Littlefield,* and *Joseph Littlefield,* Select-Men of the Town of *Wells,* Presented to the House, and Read, Praying this Court, to Appoint and send a Committee, or Surveyor under Oath, to run the Line, and settle the Bounds, between the said Town, and the Towns of *Kittery* and *Berwick,* pursuant to the Report of a Committee, confirmed by this Court, the 21st of *June* last, which the said Towns refuse to joyn with them in doing.

The Report of *Samuel Thaxter, John Chandler,* and *Jonathan Remington,* which was Read the 25th Currant. Read again and further considered.

And the Petition of *John Brigham,* and 30 others, Praying as entred the 23d Day of *November,* last, Sent for from the Board, and Read,

And the Petition of *Isaac Amsden,* and 66 others, Praying as entred the 23d Day of *Novemb.* last.

Ordered, That Mr. *Porter,* Mr. *Remington,* & Capt. *Fullam,* be a Committee to prepare a Draught of a Vote to be passed thereon, agreeable to the mind of the House manifested in the present Debate.

3 Post Meridiem.

Mr. *Remington* from the Committee appointed, offered to the House the Draught of a Vote accordingly, which was Read.

Ordered, That Col. *Hutchinson,* be of the Committee to Project and Propose a Method for the more equal Levying of Publick Taxes, in the room of Maj. *Savage,* until he returns to the House.

The Petition of *John Usher* Esq; Brought down from the Board, the 25th Currant, Read, Praying that he may receive the Ballance due to him as Treasurer of the late Territory of *New-England,* or be impowered to receive the Taxes made in Sir *Edmund Andross* his Government, that are still outstanding, *&c.*

A Message from the Board by *Nathaniel Pain* Esq; That Two Hearings were appointed to be this Afternoon, which (the Time being now too far laps'd) The Board purposes to be Adjourned till to Morrow Three a Clock in the Afternoon.

Ordered, That the Proposal be agreed to.

A Petition of *William Street,* and *Mary Street* his Wife, *Susanna Patterson, Rebeckah Day,* & *Anna Leatherer, &c.* Presented to the House, Praying, That they may be Enabled to Review an Action at the Inferiour Court of Common Pleas, to be holden in *Boston,* wherein *Susanna Copestock* obtained a Judgment by Default, for a Moiety of a House and Land in *Boston* aforesaid, belonging to the Petitioners, for reasons assign'd in the Petition. Read and sent up.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

BOSTON: Printed & Sold by B. Green. 1717. [29]

Province of the Massachusetts-Bay.

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of the House of Representatives.

Jovis 31. Die Octobris 1717. A. M.

THe Report of *Samuel Thaxter*, *John Chandler*, and *Jonathan Remington* Esqrs; upon the Petition of *John Brigham* and Thirty others; Read again, and the following Vote Pass'd and Entred on the Plat of the Land Exhibited and prayed for by the Petitioners. *Viz.*

Ordered, That the Tract of Land Protracted and Described in this Plat, together with the Farms heretofore granted to particular persons contained in the said Plat be made a Township, excepting so much thereof, as the Report of *Samuel Thaxter*, *John Chandler* and *Jonathan Remington* Esqrs; Dated, *June* 19*th* 1717. hereto annexed doth propose to have taken off and added to the Westerly part of *Marlborough*. And that *Jonathan Remington*, *Samuel Thaxter*, and *Francis Fullam* Esqrs; be a Committee fully Impowred to Grant and Lay out, the whole of the said Lands (except such as has been heretofore Granted) unto such Persons as they in their Wisdom shall think most likely to advance the Settlement of the Place, They paying the said Committee for the use of this Province, not exceeding *Twelve Pence* per Acre for the said Land, and the Charges of the Committee for laying out the same, which is to be done, in as convenient, and defensible a manner as the Circumstances of the Place will admit of: *Provided*, They have there at least Forty Families settled, with an Orthodox Minister, within the space of Three Years, and that a Lot with other Accommodations, as large and convenient as the Place will admit of, in the Judgment of the said Committee, be laid out to the first Settled Minister. Also a Lot for the Ministry, and another for the use of a School. Sent up for Concurrence.

A Message from the Board by *Elisha Cooke* Esq; That the Two Hearings adjourn'd yesterday, to this afternoon be further adjourn'd 'till to morrow in the forenoon.

Voted, That the said Hearings be so adjourned.

A Petition of *Eliazer Rogers* of *Plymouth*, presented to the House and Read, Shewing, that in the Year 1697. he received two grievous Wounds, one in his Head, the other through his Thigh, whereby he is much disabled from following his Employment, Praying relief from the Court, which he thankfully acknowledges they have heretofore granted him.

Resolved, That the Sum of *Twenty Pounds* be allowed and paid out of the Publick Treasury to *Eleazer Rogers* the Petitioner for his relief.

Sent up for Concurrence.

Half an Hour past 3. Post Meridiem.

The Petition of *Isaac Amsden* and 66 others, Inhabitants of the Westerly part of *Marlborough*, praying as entred the 9th of *November* last, further considered, and

Ordered, That the Petitioners, prepare a Plat (Taken by an able Surveyor) of the Land which they desire, and the Town of *Marlborough* agree should be set off, and made a seperate Township, including therein the Land which the Report of *Samuel Thaxter* Esq; &c. Dated *June* 19th 1717. proposes should be laid to them, and present it to this Court for allowance. Sent up for Concurrence.

A Petition of *Samuel Clark* of *Ipswich*, who was Wounded in the Service at *Pemmaquid* Fort 21 years since, whereby he is now rendred unable to Labour to support himself. Presented to the House and Read, Praying that Ten Pounds may be added to the Forty Shillings Pension, he now enjoys.

Resolved, That the Sum of Ten Pounds be Allowed and Paid out of the Publick Treasury to *Samuel Clark* the Petitioner, for this Year, over and above his stated Annual Pension. Sent up for Concurrence.

A Petition of *Joseph Stebens*, Sen. *Joseph Parsons* and 72 others, presented to the House and Read, praying that a Tract of Land of Eight Miles square, may be Granted to them, at a Houssatunnuch River, and be Erected into a Town-ship.

A Bill Intituled, *An Act in Addition to An Act*, Intituled, *An Act, for the due Assize of Bread.* Read a first time.

A Bill Intituled, *An Act for securing Passengers on the Road over* Boston Neck. Read a first time.

And then the House Adjourn'd till to Morrow Morning Nine a Clock. [30]

Veneris 1. Die Novembris 1717. A. M.

A Bill Intituled, *An Act in further Addition to the Act*, Intituled, *An Act for Encouraging the Killing of Wolves.* Read a first time.

Mr. Speaker laid before the House a Publick Letter he had lately received from Mr. Agent *Dummer*, Dated Aug 29. 1717. with sundry other Papers referr'd to therein, under the same Cover, which were read, and sent up to the Board by Major *Chandler*.

A Petition of *Abraham Prebble*, *Lewis Bane*, and *Samuel Cane*, Three of the Five Commissioners appointed to receive and let out the Proportion of the Hundred Thousand Pounds of Bills of Publick Credit, lately ordered by this Court to be Lent out, belonging to the County of *York*, Presented to the House and Read, Praying that they may be enabled to receive the same notwithstanding Two of the said Commissioners are absent.

A Message from the Board by *Adam Winthrop* Esq; That the House do now

come up to the Council Chamber to attend the Hearings appointed to be this Day.

Mr. Speaker and the House went up accordingly.

And the East and West Parts of the Town of *Salisbury* being fully heard by their Council learned in the Law, upon their Difference relating to an Agreement of the said Town to have Two Meeting-Houses therein, *&c.* Mr. Speaker with the House returned to their own Chamber.

3 Post Meridiem.

A Petition of *John Gore* of *Roxbury*, Presented to the House and Read, Praying that he may have leave, by a Surveyor and Chain-men under Oath to take up and lay out in some vacant place, One Hundred and Eighty Eight Acres of Land, which was Granted, Anno 1688. to *Rhoda Gore* his Grandmother, which has not yet been laid out.

A Petition of *Samuel Humphry*, *Josiah Torrey*, & *Zecheriah Bicknel*, Agents for the Society, in the West Part of the Town of *Swanzey*, Presented to the House and Read, Praying that a Township may be set off and Constituted in the West Part of the said Town, to contain the Lands of Pheebe's Neck, New Meadow Neck, and *Brooks* his Pasture.

Upon a Motion being made.

Ordered, That the Petitioners be admitted into the House, to speak to their Petition.

They came in accordingly, and were heard and withdrew.

Ordered, That the Petitioners serve the Town of *Swanzey* with a Copy of this Petition, That they may be heard before this Court if they have any Thing to alledge why the Prayer thereof should not be Granted on Fryday next.

Sent up for Concurrence.

A Message from the Board by *Adam Winthrop* Esq; That the House now come up to the Council Chamber, to attend the Hearing appointed on the Petition of *Thomas Knowlton* and *Jeremiah Buckman* of *Ipswich*, to be dismist from the Precinct in the said Town called *Chebacco*, to that called the *Hamlet Precinct*.

Mr. Speaker and the House went up accordingly, and when the Parties were fully heard, Returned again to their own Chamber.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Sabbati 2. Die Novembris, 1717. A. M.

A Petition of *Thomas Drake* and Seventeen others Inhabitants of the Easterly End of *Taunton* North Purchase, Praying that the said Tract of Land may be Constituted a Township, Sent down from the Board, having been Read there the 30th Day of *October* last. Read.

A Petition of *John Pierson* and thirteen others belonging to the Precinct in the North West part of *Lynn*, Presented to the House & Read, Praying that this Court will appoint three or more suitable Persons, from time to time to methodize and call Precinct meetings there, and do such other things as are requisite to be done in order to their having a Minister Settled with them (the major part of the said Precinct refusing to take methods for such Settlement) or that this Court would give such other Directions, as they shall think proper, that a Minister may be Settled among them.

Ordered, That Mr. *Remington*, Capt. *Fullam*, Mr. *Turner*, Mr. *Parsons* and Mr. *Eaton*, be a Committee to whom the said Petition is referred.

The Petition of *Abraham Prebble*, *Lewis Bane* and *Samuel Cane*, Praying as Entered yesterday further Considered.

And the Question being put whether the Prayer of the Petition be Granted?

It Pass'd in the Negative.

The Petition of *Thomas Knowlton* and *Jeremiah Buckman*, upon which a hearing was had Yesterday. Sent down from the Board, Pass'd upon there, *viz.* In Council *Novemb.* 2. 1717. Upon a full hearing had Yesterday, upon the Petition.

Voted, That the Prayer of the Petition be not Granted.

Sent down for Concurrence. Read and Concurr'd.

And then the House Adjourn'd till Monday next three a Clock in the Afternoon.

BOSTON: Printed and Sold by B. Green. 1717. [31]

Province of the Massachusetts-Bay.

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of the House of Representatives.

Lunæ 4. Die Novembris, 1717. P. M.

A Bill, Intituled, *An Act in further Addition to the Act*, Intituled, *An Act for Encouraging the Killing of Wolves*, Read a 2d time.

A Bill, Intituled, *An Act for securing Passengers on the Road over* Boston-Neck. Read a 2d time.

A Petition of *Thomas Turner* in behalf of *Jonathan Briant* and *Mary* his Wife, she being Administratix to the Estate of her late Husband, *Thomas Little*, deceas'd, Presented to the House and Read, Praying, That *Five Pounds*, *Ten Shillings* may be allowed, for the said *Little* his Curing of *Tom George*, a *Cape-Cod Indian*, Taken lame in the Service *Anno* 1710. as *per* Account, Read.

Resolved, That the Sum of Five Pounds Ten Shillings, be Allowed and Paid out of the Publick Treasury, to Mr. *Thomas Turner* the Petitioner, to Discharge the said Accompt. Sent up for Concurrence.

A Bill Intituled, *An Act in Addition to an An* [*Act*] *Intituled, An Act for the due Assize of Bread.* Read a 2d. time.

A Message from the Broad by *Samuel Sewall*, *John Clark*, *Addington Davenport* & *Thomas Fitch* Esqrs; That Advice is come to His Excellency the Governour, that the Government of the Province of *New-Hampshire* had a few Days since committed to Prison, one *John Kenniston* of *Stratham* in that Province, upon Suspicion, That he together with one *John Fox*, (who is Absconded) have Murdered an Indian there, and that the said *Kenniston*, had found means to make his Escape out of Prison; Moving the House to consider of and grant a Reward to any Person or Persons that shall Apprehend the said *Kenniston* & *Fox*, or either of them.

Ordered, That a Message be sent up to the Board by Col. *Hutchinson*, Maj. *Savage*, Mr. *Remington*, Capt. *Chambers*, and Mr. *Turner*, that this House is of Advice, That a Præmium be Allowed and Paid out of the Publick Treasury of One Hundred Pounds, for each, or either of the said *John Kenniston*, or *John Fox*, to such Person or Persons as shall (after Proclamation Issued) Apprehend them, or either of them in this Province, and Render them to any of His Majesty's Justices.

Col. *Hutchinson* from the Committee appointed to Project, and Propose a Method for more equal Raising of Publick Taxes; Presented a Bill for that end, Intituled, *An Act for the better Inquiry into the Rateable Estate of this Province:* Which was Read.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Martis 5. Die Novembris 1717. A. M.

THe Petition of the Inhabitants of the Old Town in *Salisbury*, upon which there was a Hearing the 1st Currant. Sent down from the Board the 2d Currant, Pass'd on there, *viz.* In Council, *Novemb.* 1. 1717. Upon a full Hearing had this Day by Appointment upon the within Petition. Resolved and Ordered, That the Vote of the Town of *Salisbury* bearing Date the 28th of *July* 1714. relating to the repairing the Old Meeting House in the said Town, and the Building a New One, in the lower part thereof, be and is hereby Allowed of, and Confirmed.

And that the Salary of Eighty Pounds *per Annum* Allowed to the Reverend Mr. *Caleb Cushing* be no ways lessened or diminished.

Sent down for Concurrence.

Read and Concurr'd, the last Paragraph excepted, Inasmuch as Mr. *Cushings* Salary is already Setled by Agreement and Votes of the Town, and we would not Suppose the Town so unjust as to endeavour to Diminish it.

A Petition of *Joseph Briant*, Sen. *Thomas Briant*, *Joseph Briant* Jun. *Benj. Perry*, *Ruth Perry* and *Judith Briant*, of *Situate*, Praying, That an Entail, which their late Father *John Briant* of the said Town, Deceased, by his last Will & Testament, made of some of his Lands, may be cut off, for Reasons set forth in the Petition. Sent down from the Board, Pass'd on there, *viz.* In Council, *Novemb. 2th* 1717. Read and Ordered, That the prayer of this [32] Petition be Granted; and that the Petitioners have leave to bring in a Bill accordingly.

Sent down for Concurrence. Read and Concurr'd.

The Petition of *Nicholas Coal*, *Daniel Littlefield*, and *Joseph Littlefield*, Selectmen of the Town of *Wells*, Praying as entred the 30*th* day of the last Month, Read again, and

Ordered, That *Abraham Prebble* Esq; *Lewis Bane* Esq; and Mr. *Peter Nowell*, be a Committee to take care, that the divisional Line between the Town of *Wells*, and the Towns of *Kittery*, and *Berwick*, be run and Setled, pursuant to the Vote of this Court relating thereto, by a Surveyor and Chain-men under Oath; Notifying the said Towns when they proceed in the Affair: And make report to this Court. Sent up for Concurrence.

A Petition of *Joseph Stebbins*, Representative of the Town of *Springfield*, Presented to the House and Read, Praying, That the Vote of this Court pass'd the last Session, for running a New Line between the Towns of *Springfield*, and *Enfield*, may be Reconsidered, and that the Ancient Line of the said Town of *Springfield* may be Confirmed.

Mr. *Remington*, from the Committee appointed, Made Report on the Petition of *John Pierson*, &c. the prayer whereof is entred the 2d Currant, which was accepted by the House, and accordingly,

Ordered, That upon Application made to a Justice of Peace, in said County, by five or more of the Inhabitants, of said Part of *Lynn* for a Precinct Meeting; Such Justice is hereby Impowred to Grant a Warrant for such Meeting, expressing the Time, Place and Occasion thereof, Directed to one of the Constables of said Town of *Lynn*, requiring him to Notify such Inhabitants, of said Meeting according to the Direction of said Warrant 14 Days before the day appointed for such Meeting. And that at such Meeting the Inhabitants of said Precinct, be Impowred to appoint any other way, or method of Calling Meetings for the future.

Sent up for Concurrence.

The Petition of *Lewis Bane*, and *William Sawyer*, referr'd to this Session, the 21st. Day of *June* last. Read again, and

A Petition of *Abraham Prebble*, *Richard Milberry*, and *Samuel Cane*, Select-men of the Town of *York*, Presented to the House and Read, Praying this Court to Order that the Office for Registring of Deeds, and Conveyances of Land may not be kept at *Kittery*, as now it is, but be removed, and kept at *York* the Shire Town, as the Law directs.

Ordered, That the Town of *Kittery* be served with a Copy of the said Petitions, and be heard thereon before this Court, on the 2d Wednesday of their Session in *May* next, if they have any thing to object why the prayers thereof should not be Granted. Sent up for Concurrence.

The Bill Intituled, *An Act for the better Regulation of Fowling;* Brought down from the Board, Concurr'd with some Amendments. The said Amendments Read, and Concurr'd.

3 Post Meridiem.

A Bill Intituled, *An Act for the better Inquiry into the Rateable Estate of this Province*. Read a 2d. time.

A Bill Intituled, *An Act in further Addition to the Act for Encouraging the Killing of Wolves*, Read a 3d time, and pass'd to be Engross'd. Sent up for Concurrence.

A Petition of *John Ellis* of *Brookline*, Presented to the House & Read, Shewing that in *January* 1715, he made a Conveyance of a Messuage with thirty Acres of Land in the said Town to his Son in Law *Simon Rogers*, to secure it from some unjust Claims, that he was informed it would otherwise be Subjected to, upon the Promise & Assurance of the said *Rogers* that he would Reconvey it to him, which he now refuses to do, but Sues him for Rent for the same, Praying this Court to Cite the said *Rogers* to appear before them, to shew Cause if he can, why the said Estate should not be Reconveyed to the Petitioner.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Mercurii 6. Die Novembris, 1717. A. M.

A Bill Intituled, *An Act for the better Inquiry into the Rateable Estate of this Province*, Read. a 3d time

And a form of a List, of Estate both Real and Personal, prepared pursuant thereto. Read.

Ordered, That the said Bill do pass to be Engross'd. Sent up for Concurrence.

A Message from the Board by the Honourable *John Higginson* Esq; that the hearing of the Towns of *Plymouth*, *Duxbury*, *Plimpton* and *Pembroke*, appointed the 23d Currant to be this Day, on the Report of the Committee upon the Petition of *John Bradford*, &c. be deferred till to morrow in the Afternoon, the Parties not being yet ready.

The following Vote sent down from the Board *viz.* In Council *Novemb.* 6 1717. *Ordered*, that the Honourable *Elisha Hutchinson*, *Thomas Fitch* and *Adam Winthrop*, Esqrs; with such as the Honourable House of Representatives shall appoint, be a Committee forthwith to prepare and lay before this Court, an Answer to Mr. Agent *Dummers* last Letter, and such further Instructions to him as shall be judged necessary. Sent down for Concurrence.

Read and Concurrd.

And *Jonathan Remington*, *Edward Hutchinson*, & *Samuel Thaxter*, Esqrs; and Mr. *Thomas Turner* are joined in the Affair.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

BOSTON: Printed & Sold by B. Green. 1717. [33]

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of the House of Representatives.

Jovis 7. Die Novembris, 1717. A. M.

ORdered, That Capt. *Plaisted's* Excuse be accepted for his Absence this Session till this time.

A Petition of *James Grant*, &c. Select-men of the Town of *Berwick*, presented to the House and Read, Praying that the Bounds between the said Town, and the Town of *Wells*, may be Setled pursuant to the Order of this Court relating thereto, passed in the Year 1711.

Half an Hour past 3. Post Meridiem.

A Message from the Honourable Board by *Thomas Hutchinson* Esq; That the House do now come up to the Council Chamber, to Attend the Hearing appointed to be this day of the Towns of *Plymouth*, *Plimpton*, *Duxbury* and *Pembroke*, upon the Report of the Committee, to whom the Petition of *John Bradford*, *Jacob Cook*, &c. was referr'd.

Mr. Speaker and the House went up accordingly, and after the Parties were fully heard, Return'd again to their own Chamber.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Veneris 8. Die Novembris, 1717. A. M.

A Letter from the Reverend Mr. *Joseph Baxter*, a Missionary sent by this Court to Evangelize the Indians Inhabiting the Eastern Parts of this Province. And a Letter from the said Indians sent down from the Board. And Read.

Samuel Porter, *Samuel Thaxter*, and *John Chandler* Esqrs; Commissioners appointed by this Court at their last Session, to joyn with Commissioners of the Colony of *Connecticut*, in further running the Line between this and that Government, *&c.* Made Report, That they had proceeded in that Affair, and continued the Line five Miles beyond *Houssatunnuck River*, *&c.* Which Report was accepted by the House, and sent up for Concurrence.

The said Commissioners presented also an Accompt of their charges in the said Service, the Ballance remaining due & to be paid to them, being *l.* 32. 14 *s.* 2 *d.* which was Voted to be paid, and sent up for Concurrence.

A Petition of *William Reed* of *Lexington*, presented to the House and Read, Shewing that he Apprehends himself greatly Injured by a Sentence of the Court

of Sessions of the Peace in the County of *Middlesex*, in a Cause between the Select-men of the said Town, and *Thomas Kendel* of the one part, and himself of the other part, from which he Appealed to the Superiour Court of Judicature; but by Mistake filed his reasons of Appeal in the Clerk's Office of the Court of Sessions, whereas he should have done it in the Clerk's Office of the Superiour Court of Judicature; whereby he is precluded the benefit of his Appeal, Praying this Court to Enable him, to bring forward said Cause by Appeal before the said Superiour Court of Judicature, at their next Sessions in said County.

Ordered, That the prayer of the Petition be Granted, and that a Bill be prepared accordingly. Sent up for Concurrence.

3. Post Meridiem.

A Message from the Honourable Board by *Penn Townsend* Esq; That the Hearing appointed the 31st Day of the last Month, upon the Petition of *Samuel Humphry*, *Josiah Torry*, &c. Agents for the Society in the West part of the Town of *Swanzey*, to be attended this day be Adjourn'd to Friday next in the forenoon; Which was agreed to by the House.

A Plat of Six Hundred Acres of Land laid out by *John Chandler* Jun. Surveyor, and Chain-men under Oath, pursuant to a Vote of this Court, passed *June* 19*th.* last; Presented to the House for Confirmation.

Ordered, That the Land Described and Delineated in the said Plat, be Confirmed to *Elizabeth Hobart* of *Haddam*, in Satisfaction of a Grant to Mr. *Samuel Whiting* Sen. of *Lyn*, *Anno* 1679. Provided, It Intrench upon no former Grant, and contain no more than the quantity Granted. Sent up for Concurrence. [34]

The Petition of *John Bradford*, *Jacob Cook*, &c. and the Report of the Committee thereon, upon which there was a Hearing Yesterday; Sent down from the Honourable Board, pass'd upon there, *viz.* In Council, *Novemb.* 8th. 1717. Upon a full Hearing had Yesterday before the whole Court, upon the within Petition.

Ordered, That the Petitoners be set off a Precinct according to the Bounds mentioned in the Committees Report, and upon their providing and Maintaining an Orthodox Minister, and a Publick Reading and Writing School within their Precinct, that they be freed from any charge to the Ministry and School, in their respective Towns. Sent down for Concurrence. Read and Concurr'd.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Sabbati 9. Die Novembris, 1717, A. M.

ORdered, That Major *Chandler* be added to the Committee for Petitions.

A Memorial of *Samuel Partridge*, Esq; *&c.* the Committee for managing the affairs of the Town of *Northfield*, Presented to the House and Read, Praying a

further Continuance of ten Souldiers in the Publick pay, for the Encouragement and Defence of the Settlement there.

Ordered that the Prayer of the Petition be so far Granted, *viz.* that ten Men be allowed for the Defence and Encouragement of *Northfield* for one Year, Provided they be not of the present Inhabitants. Sent up for Concurrence.

A Petition of *Isaac Little* in behalf of himself and Company, Presented to the House and Read, Praying the Court to Grant them Assistance and Encouragement (as specified in the Petition) towards the making and Refining of Iron, setting up Slitting Mills, *&c.*

Ordered, that Capt. *Wadsworth* and Col. *Thaxter*, with such as the Honourable Board shall appoint be a Committee to Consider of, and lay before this Court what may be proper to be done upon the said Petition. Sent up for Concurrence.

A Petition of *Nathaniel Thomas* Presented to the House and Read, Shewing that he has been injuried by a Way laid out through his Land by the Select-Men of the Town of *Duxbury*, Praying Relief. Sent up.

The Vote pass'd in this House, the 26th Day of last Month, upon a Plat of the Town of *Deerfield*, Sent down from the Board, Non-Concurr'd.

Ordered, That Capt. *Wadsworth*, Col. *Thaxter*, Mr. *Porter*, Capt. *Parsons*, and Maj. *Chandler* be a Committee to confer with such as the Honourable Board shall appoint, concerning the said Plat. Sent up for Concurrence.

Upon a Motion being made, The Petition of *Nicholas Coal*, *&c.* Select-Men of the Town of *Wells*, pass'd upon in this House the 5th Currant, was sent for down from the Board.

Ordered, That the Vote on the said Petition be Re-considered.

Upon the Motion of Mr. *Samuel Plaisted* Representative of *Berwick*.

Ordered, That Col. *Somersby*, *Jonathan Wade*, and *Henry Clark*, be a Committee, to take care that the Divisional Line between the Town of *Wells*, and the Towns of *Kittery* and *Berwick* be run and settled, pursuant to the Vote of this Court relating thereto, by a Surveyor and Chain-Men under Oath, notifying said Towns, when they proceed in this Affair, and make report to this Court, said Committee to be in the room of *Abraham Prebble* Esq; Capt. *Lewis Bane*, and Mr. *Peter Nowel* who were appointed for this purpose, by this House, on the 5th of *Novemb.* Currant, and that the Town of *Berwick* pay the Charge of the said Committee. Upon a Motion being made.

Ordered, That Capt. *Fullam*, Col. *Thaxter*, Capt. *Wadsworth*, and Capt. *Parsons*, be a Committee to prepare the Draught of a Bill, for upholding and Regulating of Mills.

The Vote of this House Pass'd on the Petition of *William Reed* Yesterday. Sent down from the Board Pass'd on there, *viz.* In Council, *Novemb.* 8, 1717.

Read and Concurr'd.

Provided the Petitioner or his Council prepare a Bill accordingly.

Sent down for Concurrence.

A Petition of *Ruth Child* of *Newtown*, presented to the House and Read, Praying that she may have Licence to Retail strong Drink in the said Town,

And the Question being put, *Whether the Prayer of the Petition be Granted?*

It pass'd in the Negative.

The Petition of *Nathanael Thomas*, sent up to the Board this Day, Brought down again, Pass'd upon there, *viz.* In Council, *Nov.* 9th 1717. Read, and

Ordered, That the Petitioner serve Messieurs *John Partridge*, and *John Wadsworth* Select-Men of the Town of *Duxbury*, and Mr. *Thomas Fish* of the said Town, with a Copy of this Petition, That they may be heard before this Court, on Fryday next, if they have ought to object why the Petitioner may not have Relief under his present Circumstances. Sent down for Concurrence.

Read and Concurr'd, Provided the Petitioner bear the Charges of the Select-Men occasioned by such Hearing if this Court think it proper. Sent up for Concurrence.

A Plat of One Thousand Acres of Land laid out by *William Ward* Surveyor, and Chain-Men under Oath, pursuant to an Order of this Court, pass'd in *August* 1716. upon a Petition of the Select-Men of the Town of *Dorchester*. Presented to the House for Confirmation.

Ordered, That One Thousand Acres of Land as Protracted and Described in this Plat, be allowed and Confirmed to the Town of *Dorchester* for the use of a Free-School in the said Town, pursuant to, and in fulfilment of a Grant of the General Court, *Anno* 1659. of the said quantity to the said Town for that use, Provided, It Intrench upon no former Grant. Sent up for Concurrence.

And then the House Adjourn'd till Monday next three a Clock in the Afternoon.

BOSTON: Printed & Sold by B. Green. 1717. [35]

Province of the Massachusetts-Bay.

VOTES

of the House of Representatives.

Lunæ 11. Die Novembris, 1717. P. M.

A Petition of *Francis James*, and *Caleb Barker*, Presented to the House & Read, praying this Court to encourage and assist, their Projection of making Flask & Sand ware.

Ordered, That Col. *Thaxter*, Maj. *Chandler*, and Capt. *Wadsworth*, be a Committee with such as shall be appointed by the Honourable Board, to consider of and lay before this Court, what may be proper to be done, upon said Petition.

Sent up for Concurrence.

A Petition of the Inhabitants of the East part of the Town of *Norton*, Presented to the House & Read, praying that they may be set off and constituted a separate and distinct Precinct, for the Support of the Gospel Ministry.

Ordered, That said East End be a Precinct. And that Capt. *John Field*, Mr. *Ephraim Howard*, and Mr. *John White* Surveyor, be a Committee to run and settle a Divisional line, by which it is to be set off, from the other part of *Norton*, pursuant to an Order of this Court, *March* 7th. 1710. And to make Report to this Court. Sent up for Concurrence.

An Engross'd Bill, Intituled, *An Act in further Addition to an Act, Intituled, An Act for the Encouraging the Killing of Wolves.* Read, and

Resolved, That the Bill do pass to be Enacted.

An Engross'd Bill, Intituled, *An Act for the better Regulation of Fowling.*

Read and

Resolved, That the Bill do pass to be Enacted. Sent up for Concurrence.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Martis 12. Die Novembris, 1717. A. M.

A Petition of *Joseph Malliston*, Presented to the House & Read, Praying Encouragement and Assistance toward the carrying on of Iron-works, by him Erected.

Ordered, That Col. *Thaxter*, Maj. *Chandler*, and Capt. *Wadsworth*, be a Committee with such as shall be appointed by the Honourable Board to consider and lay before this Court, what may be proper to be done upon the said Petition.

Sent up for Concurrence.

The Petition of *Joseph Stebbens*, Sen. *Joseph Parsons*, and 72 others, Praying as entred the 31. of the last Month. Read again,

And the Question being put, Whether the prayer of the Petition be Granted? It pass'd in the Negative.

A Petition of sundry Deacons of Churches in the Town of *Boston*, presented to the House and Read, Praying, That a greater number of Bills of Publick Credit of the lower Denominations, may be made, which they find needful in the said Town, where the Ministers are Supported by free Weekly Contributions, to accommodate the same.

And the Question being put, Whether the prayer of the Petition be Granted? It pass'd in the Negative.

A Memorial of the Honourable *William Dummer* Esq; Commander of His Majesty's Castle *William*, Presented to the House and Read, Shewing that some of the works there want to be Repaired, and moving that a Committee may be sent to view the same.

Ordered, That Capt. *Wadsworth*, Capt. *Dowse*, and Capt. *Parsons*, be a Committee with such as shall be appointed by the Honourable Board, to Repair to Castle Island and view the Works there, and make report to this Court what Repairs are necessary. Sent up for Concurrence.

A Bill Intituled, *An Act for Regulating the Souldiers in His Majesty's Castle William.* Read twice.

A Petition of the Inhabitants of *Cape Porpus*, presented to the House and Read, praying, That Col. *John Wheelwright* may be impowred to Regulate the Settlements making there, so as to be compact and defensible. And to demand and keep their Town Records.

Ordered, That the Honourable *John Wheelwright* Esq; be Impowred to Regulate the present Settlement of *Cape Porpus*, as to the placing the Houses so as the Inhabitants may be able to defend themselves in case of a War; and that he be further Impowred to Demand [36] and keep the Records belonging to said Place, until said Town be otherwise Regulated. Sent up for Concurrence.

A Petition of *Joseph Marion*, Deputy Secretary, presented to the House & Read, praying some Allowance may be Granted to him, for his Service in that Office. Committed.

A Bill Intituled, *An Act in further Addition to & for the better Explanation of the Act Intituled, An Act for the upholding and Regulating of Mills.* Read.

Post Meridiem.

A Petition of *Lewis Bane* Representative of the Town of *York*, in behalf of himself and the Inhabitants of *Saco*, *Black Point*, and *Casco*, Presented to the House and Read, praying this Court to Grant to *Humphry Scammon* the Privilege of keeping a Ferry over *Saco* River.

A Message sent up to the Board by Col. *Hutchinson*, Maj. *Savage*, Col. *Thaxter*,

and Capt. *Chambers*, Requesting his Excellency the Governour, that His Majesty's Ship *Squirrel* now bound to *Barbadoes*, may be ordered not to proceed on said Voyage; forasmuch as this House are of Opinion, that this Coast is in danger of being Infested with Pirates. And that his Excellency will please to Issue forth a Proclamation forbiding all Persons whatsoever Trading with or Supplying the Pirates, with Provisions or Stores.

A Petition of the Committee of the Town of *Brookfield*, presented to the House and Read, praying this Court to Grant to the said Town 500 Acres of Land in lieu of the like quantity, laid out to Col. *John Pynchon* on Coy's Hill in the said Town, and confirmed to him by this Court in *June* 1715. as the first half of the Grant made to his Father

Resolved, That Five Hundred Acres of Unappropriated Land be Granted to the Town of *Brookfield*, in full Satisfaction for the 500 Acres of Land laid out to Col. *Pynchon* on Coy's Hill, in said Town of *Brookfield*, confirmed by this Court, *June* 18. 1715, as the first half of the Grant made to his Father *John Pynchon*, Esq; Deceas'd, *Anno* 1659, to be laid out adjoyning to said *Brookfield*, by a Surveyor and Chainmen under Oath, and returned to this Court for confirmation.

Sent up for Concurrence.

Samuel Thaxter & *John Chandler* Esqrs; Surveyors, appointed by this Court the 21. of *June* last, to discover the Bounds of Tracts of Land formerly Granted within the Compass of that which is now the Township of *Hopkinston;* and particularly of a grant called *White Hall Farm*, presented their Report, which was read.

A Petition of *Edward Burleston*, in behalf of Twenty Proprietors of the Common and Undivided Lands in the Town of *Suffield*, presented to the House and Read.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Mercurii 13. Die Novembris, 1717. A. M.

THe Report of *Samuel Thaxter*, and *John Chandler* Esqrs; relating to *White Hall Farm*, &c. which was Read Yesterday, Read again, and

Ordered, That *Jonathan Remington*, *Edward Hutchinson*, and *Francis Fullam* Esqrs; be a Committee to prepare and offer to the House, the Draught of a Vote to be passed thereon.

A Bill Intituled, *An Act for taking off the Entail and vesting the Fee Simple of certain Lands in* Situate, *in* Thomas Briant, *for an Equivalent proposed by* Joseph Briant, *to whom the said Land was given Entail.* Read and pass'd to be Engross'd.

Sent up for Concurrence.

The following Resolve brought down from the Honourable Board, by *Edward Bromfield* Esq; *viz. Resolved*, That *John Otis*, *William Basset*, and *Peter Thacher*

Esqrs; Justices for the Indians within the County of *Barnstable*, or any Two of them, at one time, with any Two of the Justices of the Inferiour Court of common Pleas, on the Island of *Nantucket*, and no more, be and hereby are Impowred, and Appointed from time to time, to be Justices of the Inferiour Court of common Pleas, and General Sessions of the Peace, to Hear & Determine, all Causes and Matters of Difference, between the English & Indians, and Indian & Indians on the said Island. And that a Bill be prepared accordingly.

Sent down for Concurrence, Read and Concurr'd.

A Petition of *Elijah Danforth* and *Samuel Danforth*, sent down from the Board, pass'd upon there, *viz.* In Council, *Novemb.* 13. 1717. *Resolved*, That the Purchase of the Lands made by the Petitioners of the *Punkapog* Indians, as set forth in the Petition, and be and hereby is allowed of, and confirmed, so far forth as the said Indians, have Right to Dispose thereof. Sent down for Concurrence.

The Honourable Judge *Sewall* having this day presented a Number of Books to the House.

Ordered, That *Edward Hutchinson* Esq; and Mr. *Isaiah Tay*, Return the Thanks of this House to him for the same.

3 Post Meridiem.

The Petition of *Lewis Bane*, Praying as entred yesterday. Read again, and *Ordered*, That the Prayer of the Petition be Granted.

Sent up for Concurrence. [37]

A Bill, Intituled, *An Act enabling* William Read *to bring forward his Appeal, from the Sessions of the Peace in* Middlesex, *to the Superiour Court of Judicature, to be held in* Charlstown *for the County of* Middlesex, Read and pass'd to be Engross'd. Sent up for Concurrence.

The Petition of *Edward Johnson*, Praying as entred the 23d Day of the last Month, further considered, and the Report of the Committee offered thereon, *viz.* That the Prayer of the Petition be Granted. Provided the said Two Hundred Acres has not been formerly taken up. And the Question being put, *Whether the Report be accepted?* It pass'd in the Affirmative.

Sent up for Concurrence.

The Petition of *Joseph Stebbins*, Representative of the Town of *Springfield*, Praying as entred the 5th Currant, further Considered.

Resolved, That there shall be a Hearing of both Towns (of *Springfield* and *Enfield*) upon the said Controversy, before this Court on the 2d Wednesday of the Sessions in *May* next; And that the present Representatives of *Springfield* and *Enfield*, notify their respective Towns cordingly. Sent up for Concurrence.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Jovis 14. Die Novembris, 1717. A. M.

THe Petition of *Edward Burleston*, mentioned the 12th Currant.
Read again.

Resolved, That the Act, and Determination of the special Sessions, holden at *Suffield* on *January* 10th 1715. Reported to this Court, with the Explanation thereof, be accepted and confirmed. Sent up for Concurrence.

A Petition of *John Porter*, Presented to the House and Read, Praying the Benefit of an Appeal from a Judgment of the Court of Sessions of the Peace in the County of *Essex*, to the next Superiour Court of Judicature, and Court of Assize to be holden for the County of *Essex*. Read and Committed.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Veneris 15. Die Novembris 1717. A. M.

A Bill Intituled, *An Act in further Addition unto, and for better Explanation of the Act*, Intituled, *An Act in Addition to the Act for Upholden and Regulating of Mills*. Read a 3d time, and pass'd to be Engross'd. Sent up for Concurrence.

The Petition of *Elijah Danforth*, and *Samuel Danforth*, and the Vote of Council thereon the 13th Currant. Read again, and

A Petition of *Robert Spur*, *Standfast Foster* and *Samuel Jones*, and 46 others, Presented to the House and Read, Praying that a Hearing may be Granted before this Court on the Subject matter of the last mentioned Petition, before the Prayer thereof be Granted.

And the Question being put, *Whether the House Concur with the Vote of the Honourable Board in the Petition of* Elijah Danforth *and* Samuel Danforth?

It pass'd in the Negative.

Major *How* laid before the House a Plat of the West part of *Marlborough*, &c. Taken pursuant to an Order of this Court, pass'd the 31st day of last Month, upon the Petition of *Isaac Amsden*, &c.

Resolved, That the Tract of Land contained and described in the said Plat be Erected into a Township to be called by the name of *Westborough*, The Inhabitants to have & enjoy all Powers, Privileges and Immunities whatsoever, as other Towns have, and do enjoy, And that the ungranted Lands lying within the same, containing about Three Thousand Acres, be Granted to the said Inhabitants they paying for the same, as the Committee appointed by this Court this Session for setling the Lands of the New Township that is contiguous, shall order, and that out of the said Lands, there shall be reserved a suitable and convenient Lot, for the first setled Minister, which Lot the said Committee shall set out.

Sent up for Concurrence.

A Petition of *Thomas Terry*, & *Joseph Read* Select-men of the Town of *Free-*

town, Presented to the House and Read, Praying that the Sum of *Twenty Pounds* may for this Year be granted out of the Publick Treasury towards support of the Ministry in the said Town. In answer to the said Petition,

Resolved, That the Sum of *Twenty Pounds* be allowed and paid out of the Publick Treasury towards the Maintenance of the Ministry in the said Town for the Year coming. Sent up for Concurrence.

A Bill Intitituled, *An Act, for altering the Time of Holding a Superiour Court of Judicature Court of Assize and General Goal Dilivery, within and for the County of* Hampshire: *And for reviving all Actions & Process lately depending there, and discontinued by reason of the Courts not meeting.*

Pass'd in Council to be Engross'd and Sent down for Concurrence. Read.

A Message from the Board by *Nathanael Norden* Esq; That the House now come up to the Council Chamber to attend the Hearing appointed this Day upon the Petition of *Samuel Humphry*, *Josiah Torry* and *Zechariah Bicknel* Agents for the Society in the West part of the Town of *Swanzey*.

Mr. Speaker and the House went up accordingly, and when the Parties were fully heard returned again to their own chamber. [38]

3 Post Meridiem.

A Bill Intituled, *An Act for altering the Time of holding a Superiour Court of Judicature, Court of Assize and General Goal Delivery, within and for the County of* Hampshire, *And for reviving all Actions and Process lately depending there, and discontinued by reason of the Courts not meeting.* Read a 2d time.

A Petition of *Joseph Buckminster* Esq; presented to the House and Read, Praying that his Plat of Three Hundred Acres of Land, laid out at a Place called *Whitehall*, may continue to be allowed notwithstanding what is objected against it; Or That if a new Survey must be taken thereof, that it may be ordered to begin and determin, where he shall direct, so as to include a Stream and Mill, and other Improvements, for the sake whereof he took up his Grant in that place.

A Memorial of *Nathanael Byfield*, *Nathanael Payne*, *Henry Mackintosh*, and *John Rogers* Esqrs; Justices of the Peace, for and within the County of *Bristol*, Proposing that an Orthodox Gospel Minister may be sent by this Court to the Town of *Tiverton*, and be supported out of the Publick Treasury for one Year, for reasons set forth in the said Memorial. Brought down from the Board by *Nathanael Byfield* and *Nathanael Payne*, Esqrs; and entred thereon, *viz.* In Council, *November* 15*th* 1717. Read and sent down earnestly Recommended.

Read and Committed.

A Message from the Board, That the House now come up to attend the Hearing appointed to be this Day upon the Petition of *Nathanael Thomas* Esq;

Mr. Speaker and the House went up accordingly, and the Hearing being ended, Returned again to their own Chamber.

And then the House adjourn'd till to morrow Morning nine a Clock.

Sabbati 16 Die Novembris 1717 A M

A Petition of *Henry Bridgham*, *Samuel Bridgham*, *William Kean*, and *William Tilley* Jun. Presented to the House and Read, Praying that they may be allowed to lay out, and have confirmed to them, 4000 Acres of up Land and Meadow near *Quinnebaug*, which was purchased by their Predecessors of the *Indian* Sachems, Proprietors thereof, *Anno* 1655. before any Law was made to forbid such Purchases.

Ordered, That the said Petition be referred to the next Session for consideration.

A Petition of *John Spooner*, and Four others Inhabitants of the Town of *Dartmouth*, presented to the House and Read, praying assistance out of the Publick Treasury towards the Maintenance of the Minister in the said Town.

Ordered, That the said Petition be referred to the next Session for consideration.

A Bill Intituled, *An Act for altering the Time of holding a Superiour Court of Judicature, Court of Assize, and General Goal Delivery, within and for the County of* Hampshire, *And for reviving all Actions & Process lately depending there, and discontinued by reason of the Courts not meeting.* Read a 3d time, and pass'd a Concurrence with an Amendment. And sent up.

A Bill Intituled, *An Act for further Regulating the Souldiers in His Majesty's Service at* Castle William. Read a 3d time, and pass'd to be Engross'd.

Sent up for Concurrence.

A Memorial Sign'd by *Henry Flint* Clerk of the Overseers of *Harvard Colledge* in *Cambridge* which was sent down from the Board yesterday. Read. Moving this Court to make further Provision for the Reception and Entertainment of the Students in that Seminary, the present Edifices not being sufficient to accommodate them.

Ordered, That Major *Habijah Savage*, Mr. *Timothy Lindal*, and Capt. *Jonathan Dowse*, with such as the Honourable Board shall appoint be a Committee in the recess of this Court to consider what is proper to be done in answer to the said Memorial, and make their Report at the next Session. Sent up for Concurrence.

A Petition of *Stephen Stoddard*, and *John Orcut*, Agents for the Society of *Little Hingham* alias *Conihasset*, praying that their former Petition to be made a distinct Precinct, and the Report of the Committee of this Court, thereon, may be revived and reconsidered. Sent down from the Board, pass'd on there, *viz.* In Council, *Novemb.* 5th. 1717. Read and Ordered, That the affair of *Conihasset* be revived, and Reconsidered. Sent down for Concurrence.

Read and Concurr'd.

Resolved, That *Nathaniel Blagrove* Esq; be added to the Committee appointed to run and settle the Line between this Province, & the Colony of *Rhode-Island*.

Sent up for Concurrence.

A Petition of *John Ruck* and 17 others Proprietors of *Augusta* on *Small Point*, presented to the House and Read, Praying a further continuance of an Officer and Ten Souldiers in the Publick Pay to cover and encourage the Settlement making there

Resolved, That the Prayer of the Petition be Granted. Sent up for Concurrence. And then the House Adjourn'd till Monday next three a Clock in the Afternoon.

BOSTON: Printed & Sold By B. Green. 1717. [39]

Province of the Massachusetts-Bay.

VOTES

of the House of Representatives.

Lunæ 18. Die Novembris, 1717.

HIS Excellency the Governour having seen meet at the Request of this House to allow the account of his late Interview, and Conference with the Eastern Indians to be made Publick.

Ordered, That the Representatives of the Town of *Boston* be a Committee to take care, to get the same Printed at the best Rate they can, Reserving for his Excellency such a Number of the Copies as He will please to have, and one Copy for each Member of this present Court.

A Bill Intituled, *An Act Enabling* William Reed *to bring forward his Appeal from the Sessions of the Peace in* Middlesex, *to the Superiour Court of Judicature, to be held in* Charlstown *for the County of* Middlesex. Sent down from the Honourable Board Concurr'd with some Amendments.

Which were Read and Agreed to by the House.

A Petition of *Joseph Ryall* and *Nicholas Sparrow*, presented to the House & Read, praying that they may be discharged from paying the Sum of *Four Pounds*, which they are obliged to pay as Sureties for *Rebeckah Philpot* when she had Licence granted to her to Retail Strong Drink, *Anno* 1713. She not living to Improve the said Licence.

Resolved, That the prayer of the Petition be granted. Sent up for Concurrence.

Resolved, That the Treasurer be and hereby is Directed and Impowred to Issue forth and Emit of the Bills of Publick Credit received into the Treasury the Sum of Six Thousand Pounds, for Payment of the Publick Debts of the Province already contracted, for the Defence & Support of the Government, and the necessary Protection & Preservation, of the Inhabitants of this Province, and for the Subsisting of Forts & Garrisons, and Wages arising for their Service, for Payment of Grants, Salaries and Allowances, made or to be made by this Court, according to such Draughts, as from time to time, shall be made upon him by Warrant or Order of the Governour or Commander in Chief, for the time being, by and with the Advice and Consent of the Council. And the said Bills shall pass out of the Treasury, at the Value therein expressed equivalent to Money; and shall be Taken & Accepted, in all Publick Payments, at the advance & after the Rate of *Five Pounds per Cent.* more.

And as a Fund & Security for the same, There be, and hereby is Granted, to His Most Excellent Majesty, to the Ends & Uses as aforesaid, a Tax of Six Thousand Pounds, to be Levied on Polls & Estates, both Real & Personal within this

Province, according to such Rules and in such Proportion, upon the several Towns & Districts within the same, as shall be Agreed on, and Ordered by the Great & General Court, or Assembly of this Province at their Session in *May* 1722. and Paid into the Treasury, on or before the last Day of *December*, next after. Sent up for Concurrence.

A Message sent up to the Board by Col. *Somersby*, Mr. *Lindal*, Mr. *Porter*, Mr. *Newman*, and Mr. *Freeman*, Moving that the Affairs of the Session may be so expedited that the Court may Rise to Morrow, if it may be.

The Petition of *Samuel Humphry*, *Josiah Torrey*, &c. upon which there was a Hearing the 15th Currant. Sent down from the Board, pass'd on there, *viz.* In Council, *Novemb.* 18. 1717. Upon a full Hearing had, before the whole Court on this Petition the 15th Currant. *Resolved*, That *Phœbe's* Neck, and *New Meadow* Neck, within the Town of *Swanzey*, be and hereby is Erected into a Township, by the Name of *Barrington;* and the Inhabitants thereof are vested, with all Powers, [40] Rights and Privileges, that other Towns within this Province by Law have, or ought to have and enjoy. Sent down for Concurrence.

Read & Concurr'd.

The Petition of *John Ellis*, praying as Entred the 5th currant, Read again, and *Ordered*, That the Petitioner Serve *Simon Rogers* the adverse Party with a Copy of this Petition that he may shew reason, if he can, why the prayer thereof should not be granted, on the first Tuesday of the next Session of this Court.

Sent up for Concurrence.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Martis 19. Die Novembris, 1717. A. M.

A Petition of the Select-men of the Town of *Roxbury*, and the Feoffees of the Free-School in the said Town, presented to the House & Read, praying that they may have further time to lay out 500 Acres of Land, Granted by this Court for the use of the said Free-School, the time given for that end being elapsed.

Ordered, That the prayer of the said Petition be granted.

Sent up for Concurrence.

An Accompt of *Nathanael Paine* Treasurer of the County of *Bristol*, from *April* 14th 1716. to *October* 9th 1717. Examined & Allowed by the Court of General Sessions of the Peace in the said County, Presented to the House for Allowance.

Read & Allowed. Sent up for Concurrence.

A Report of the Committee of both Houses appointed to go down to Castle *William*, and view the works there, *&c.* Sign'd *William Tailer*. Sent down from the Board, Read, Signifying, That sundry Repairs are needful soon to be made there, as therein particularly expressed.

Ordered, That the said Report be so far accepted, That all the Repairs mentioned therein be proceeded in as soon as conveniently may be, excepting the second Article relating to the Casemeting the Cover'd way: And that Capt. *Joseph Wadsworth*, and Capt. *Jonathan Dowse* are appointed a Committee, to take care and see them effected. Sent up for Concurrence.

The Committee appointed to prepare a Vote on the Report of the Committee relating to *White-hall* Farm, offered a Draught which was accepted by the House, and the following Vote pass'd accordingly, *viz.* "Whereas a Plat of a Tract "of Land commonly known by the Name of *White-hall* Farm, lying in the Town "of *Hopkinston*, Surveyed & Platted by *Joseph Sherman*, was presented to this "Court by *Joseph Buckminster* Esq; and confirmed to him with the following "*Proviso : viz.*

"*Provided* the Plat exceed not the quantity of the Grant (being Three Hundred "Acres:) And whereas it appears by the Report of *Samuel Thaxter* and *John* "*Chandler* Esqrs; who were appointed by this Court at their Sessions in *May* last, " to view the uncertain Bounds of said Farm, That the Land contained in said "Plat, is about Five Hundred Sixty-three Acres, & three quarters.

Resolved, That the Grant of the said Land as Delineated in the said Plat, be Declared Null & Void: And that the Land belongs to this Province as heretofore. Sent up for Concurrence.

An Accompt of *Daniel Russel* Treasurer of the County of *Middlesex*, from *May* 1714. to *May* 27th 1717. Allow'd by the Court of General Sessions of the Peace in the said County, presented to the House for Allowance. Read & Allowed. Sent up for Concurrence.

The Accompt of *John Campbell* Post-Master of *New-England*, amounting to the Sum of *l.* 87 13 *s.* 3 *d.* further considered, and the Report of the Committee thereon, which was accepted by the House, and accordingly,

Resolved, That the Sum of Twenty-six Pounds Sixteen Shillings & Two-pence, be allowed and paid out of the Publick Treasury to Mr. *John Campbell* the Accomptant, in full of his Accompt. Sent up for Concurrence.

The following Vote sent down from the Board, with the Plat of *Deerfield*, which was pass'd on in this House the 26th of last Month, *viz.* The Committee appointed by this Great and General Assembly to consider the Reasonableness for allowing [41] the Plat of *Deerfield* taken by Order of the House of Representatives, having Maturely considered the Evidences & Pleas there-about, are humbly of Opinion, that the Bounds of the Seven Miles Square granted to *Deerfield*, shall be and remain according to the Plat now Exhibited to this Great & General Court; provided the Line Run from the North end of said Tract to the great River, be an East Line, by Order of the Committee. *N. Byfield.*

In Council, *Novemb.* 19th 1717. Read & Accepted, sent down for Concurrence. Read and Concurr'd.

Ordered, That the Trustees for the Legacy of Mr. *Hopkins*, be Desired & Impowred to take care that there be no Strip, or Waste, of the Wood or Timber on the Tract of Land called *Whitehall* Farm, a Plat whereof has been laid before this Court by *Joseph Buckminster* Esq; Sent up for Concurrence.

Upon a Question, Moved by the Commissioners appointed to let out the Proportion of Bills of Credit belonging to the County of *Middlesex*, pursuant to an Act Intituled, *An Act for the Making & Emitting the Sum of One Hundred Thousand Pounds in Bills of Credit on this Province;* Upon the sense of those words in the first Paragraph of the said Act, *viz.* "Who are to Let out the said Bills to such "of the Inhabitants of this Province as Desire it?

Quest. Whether the Commissioners of each County are thereby Impowred after Three Months to let out any of the said Bills, that may remain in their hands, unto persons not having any Real Estate in the County where the Bills are to be Let, upon good and sufficient Real Security, as the said Act Directs, in any other County of this Province? It pass'd in the Affirmative.

With Direction to the respective Commissioners to be very circumspect & cautious, that the Security they take be good and sufficient.

Sent up for Concurrence.

The Memorial of *Joseph Marion* Deputy Secretary, praying as entred the 12th currant, Read, and the Report of the Committee thereon, which was accepted by the House, and accordingly,

Resolved, That the Sum of Fifty Pounds be Allowed, and Paid out of the Publick Treasury to Mr. *Joseph Marion* Deputy Secretary for his extraordinary Service in that Office for Fifteen Months past. Sent up for Concurrence.

3 Post Meridiem.

Resolved, That the Sum of Five Hundred Pounds be allowed and paid out of the Publick Treasury to His Excellency SAMUEL SHUTE, Esq; Capt. General and Governour in Chief of this His Majesty's Province, for His Support in Managing the Affairs of the Government. Sent up for Concurrence.

Resolved, That the Sum of Fifty Pounds be allowed and paid out of the Publick Treasury to the Honourable *William Dummer*, Esq; Lieutenant Governour, in Consideration of his readiness at all times to serve this Province.

Sent up for Concurrence.

An Engross'd Bill Intituled, *An Act for altering the Time of holding a Superiour Court of Judicature, Court of Assize and General Goal Delivery within and for the County of* Hampshire, *And for reviving all Actions and Process lately depending there, and discontinued by reason of the Courts not meeting.* Read and

Resolved, That the Bill do pass to be Enacted.

An Engross'd Bill, Intituled, *An Act Enabling* William Reed *to bring forwad*

his Appeal from the Sessions of the Peace in Middlesex, *to the Superiour Court of Judicature, to be held in* Charlestown *for the County of* Middlesex. Read and *Resolved*, That the Bill do pass to be Enacted.

A Bill Intituled, *An Act Enabling* John Porter *to bring forward an Appeal to the Superiour Corut to be held in* May *next, in the County of* Essex. Read twice, and pass'd to be Engross'd. Sent up for Concurrence.

The Vote passed this Day on the Report of the Committee relating to the Repairing of Castle *William*. Sent down from the Board, Concurr'd. And the Ho-[42]nourable Lieut. Governour *William Dummer* is added to the said Committee. Sent down for Concurrence. Read and Concurr'd.

Resolved, That the Treasurer be directed to purchase good Bills of Exchange for three Hundred Pounds Sterling, to be paid to Mr. *Jeremiah Dummer* in *London*, Agent for this Province further to enable him to Negociate the Affairs thereof. Sent up for Concurrence.

Resolved, That the Sum of Thirty Pounds be further allowed and paid out of the Publick Treasury to Mr. *John White* Clerk of this House for his Service in the Year Currant. Sent up for Concurrence.

Resolved, That the Sum of Twenty-five Pounds be allowed and paid out of the Publick Treasury to Mr. *John Flag* Door-keeper to His Excellency the Governour the Honourable Council and this House for his Service half a Year ending the 26th day of the next Month. Sent up for Concurrence.

An Accompt of *Samuel Thaxter* and *John Chandler* Esqrs; of charge which they with *Jonathan Remington*, Esq; have been at in going to *White-hall Farm*, to the New Town joining to *Marlborough*, &c. In obedience to the Orders of this Court amounting to the Sum of Twelve pounds, presented to the House for allowance.

Ordered, That the said Accompt be allowed & paid as shall be hereafter Directed.

The Vote of this House pass'd this Day for preserving the Wood and Timber on *Whitehall Farm* so called. Sent down from the Board Non-Concurr'd, and the following Vote sent down in lieu thereof *viz.* In Council, *Novemb.* 19th 1717.

Ordered, That the Trustees for the Legacy of Mr. *Hopkins*, be desired & impowred to take care that no Strip or Waste be made of any Wood or Timper on the Three Hundred Acres of Land which this Court hath Resolved to rest in the Province ungranted Lands, by the voiding of the Grant of *White-hall* Farms, formerly made to *Joseph Buckminster* Esq; Sent down for Concurrence.

Read & Concurr'd.

The Bill Intituled, *An Act for the better Inquiry into the Rateable Estate of this Province.* Sent down from the Board, Concurr'd with Amendments.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Mercurii 20. Die Novembris, 1717. A. M.

THe Amendments made by the Honourable Board to the Bill Intituled, *An Act for the better Inquiry into the Rateable Estate of this Province*, Read and, *Ordered.* That the two last only of the said Amendments be agreed to. Sent up.

An Engross'd Bill Intituled, *An Act for taking off the Entail, and Vesting the Fee Simple of certain Lands in* Situate *in* Thomas Briant, *for an Equivalent proposed by* Joseph Briant *to whom the said land was given Entail.* Read and

Resolved, That the Bill do pass to be Enacted.

A Petition of *William Denison*, Praying as Entered the 12th of *June* last, Sent down from the Board pass'd upon there *viz.* In Council *Novemb.* 20th 1717.

Read and

Ordered, That the Prayer of the Petition be Granted, and that the Petitioner prepare a Bill accordingly. Sent down for Concurrence.

Read and Concurr'd.

The Bill to be brought in this Session if there be Opportunity. If not, the next Session. Sent up for Concurrence.

The Petition of *Nathaniel Thomas* upon which there was a Hearing the 15th Currant. Sent down from the Board, pass'd upon there *viz.* In Council, *Novemb.* 19th 1717. Upon a Hearing had between *Nathaniel Thomas*, Esq; and the Select Men of *Duxbury*.

Resolved, That Capt. *Jacob Thompson*, Capt. *Benjamin Warren* and Capt. *John Dyer*, be a Committee to Repair to *Duxbury* notifying the several parties to be present and view the Highway laid out by the said Select Men to *Thomas Fish*, and Inquire into the Circumstances and make Report to this Court at their Sessions in *May* next, what they think just and proper to be done relating thereto, the charge of the Committee to be born as this Court shall Determine.

Sent down for Concurrence. Read and Concurr'd.

Capt. *Israel Chittingden* being of the Committee in room of Capt. *Jacob Tompson.* Sent up for Concurrence.

A Plat of 3268 Acres of Land, Presented to the House for Confirmation, to fulfil a Grant of 3000 Acres, which this Court at their Session in *June* last allowed the Town of *Sherbon* to take up. [43]

Ordered, That the said Plat be not allowed of, but the said Town is permitted to take as a Plat of 3000 Acres only, at the place where they took the said Plat, by a Surveyor and Chainmen under Oath and present the same to this Court for allowance at their Session in *May* next, and in the mean time the said Town is Impowred to prosecute any Person that shall cut any Wood or Timber on the said Land. Sent up for Concurrence.

A Bill Intituled, *An Act Impowring the Judge of Probate to allow a divisional*

Agreement made between the Children and Heirs of Edward Denison *late of* Roxbury, *Yeoman, Deceas'd.* Read twice and Pass'd to be Engross'd.

Sent up for Concurrence.

The following Vote sent down from the Board on the Report of the Committee of both Houses relating to that part of *Hingham* called *Cohasset* or *Little Hingham*, being set off a distinct Precinct, *viz.* In Council, *Novemb.* 20th 1717.

Reconsidered and

Ordered, That the Honourable *John Higginson, Thomas Fitch* and *Edmund Quincey*, Esqs; with such as the Honourable House of Representatives shall appoint be a Committee to Inquire into and Consider the present Affair of *Little Hingham*, and make Report to this Court so soon as may be this Session.

Sent down for Concurrence. Read and Concurr'd.

And *Francis Fullam, Edward Hutchinson, John Chandler* and *Jonathan Remington*, Esqrs; are joined in the Affair.

An Engross'd Bill Intituled, *An Act for the further Regulating the Souldiers, in His Majesty's Service at Castle* William. Read and

Resolved; That the Bill do pass to be Enacted.

A Petition of *Philip English*, praying as entered the 20th of *June* last, Read again, and

Ordered, That Mr. Speaker *Burril*, Mr. *Isaiah Tay* and *Jonathan Remington*, Esqrs; with such as the Honourable Board shall appoint, be a Committee to consider of the said Petition, and all the Papers relating thereto, and report what they think proper to be done in answer thereto, to this Court at their next Session. Sent up for Concurrence.

A Message from the Board by *Eliakim Hutchinson, Nathaniel Byfield* and *Adam Winthrop*, Esqrs; moving the House to consider the Petition of *John Usher*, Esq; Sent down yesterday.

A Petition of *John Wood* and *Elnathan Allen* who purchased the Tract of Land called *Whitehall-Farm* of *Joseph Buckminster*, Esq; and Settled themselves and Families thereon, Presented to the House and Read, praying that three Hundred Acres of Land may be laid out to them in that place, where they have made considereble Improvements.

And the Question being put, Whether the Prayer of the Petition be Granted?

It Pass'd in the Negative.

A Petition of *John Usher*, Esq; Praying that he may be Considered and allowed for his good Service in Purchasing the late Province of *Maine* of Sir *Ferdinando Gorge*, Anno 1678, for this Province. Sent down from the Board yesterday, entered thereon, Read and Sent down Recommended. Read and

Ordered, That *Edward Hutchinson, Samuel Thaxter* and *Habijah Savage*, Esqrs; with such as the Hononrable Board shall appoint be a Committee to whom the said Petition is Committed, to make Report at the next Session of this Court.

Sent up for Concurrence.

A Draught of a Letter prepared by the Committee of both Houses, in answer to the last Letter of Mr. Agent *Dummer*, Sent down from the Board entered thereon, *viz.* In Council, Read and accepted. Sent down for Concurrence.

Read and Concurr'd.

An Accompt of *Samuel Tyley*, Jun. of writing done for this Court the last Session, and this, amounting to *l.* 5. Presented to the House for Payment. Read and

Resolved, That the Sum of Five Pounds be allowed and paid out of the Publick Treasury to Mr. *Samuel Tyley*, Jun. to Discharge the said Accompt.

Sent up for Concurrence.

Col. *Thaxter* from the Committee for Petitions made Report on the Memorial of *Nathaniel Byfield*, Esq; *&c.* committed to them the 15th Currant, which was accepted by the House and agreeable thereto.

Ordered, That the Justices of the Court of Quarter Sessions in the County of *Bristol*, be Directed to Procure a suitable Minister to Reside at the Town of *Tiverton*, for one Year, and that the Sum of Seventy Pounds be allowed out of the Publick Treasury for his Support. Sent up for Concurrence.

And then the House adjourn'd till to Morrow Morning Nine a Clock.

Jovis 21. Die Novembris 1717. A. M.

A Message sent up to His Excellency the Governour by Mr. *Remington*, Mr. *Lindal* and Capt. *Osgood*, That the House have no Business lying before them, and desire if there is none before the Honourable Board that the Court may Rise.

The following Report and Vote upon the affair of *Cohasset* or *Little Hingham*, Sent down from the Board, *viz.* Pursuant to the aforesaid order, we have considered the present affair of *Little Hingham*, and are humbly of Opinion that it is proper and reasonable that [44] the dividing Line should be and remain, as stated by the former Committee that went upon the place, all which is humbly Submitted. *John Higginson*

In the name of the Committee.

In Council *Novemb.* 21. 1717. Read and accepted. Sent down for Concurrence.

Read and Concurr'd.

A Petition of *Joseph Buckminster*, Praying that a Surveyor and Chainmen under Oath, may be appointed to lay out Three Hundred Acres of the Farm called *Whitehall* Farm, for his Assigns, to whom he Sold the same, and who have made Improvement thereon to the Value of *l.* 300. Brought down from the Board entered thereon, *viz.* In Council, *Novemb.* 21. 1717. Read and sent down.

And the Question being put, Whether the Prayer of the Petition be Granted?

It pass'd in the Negative.

The following Vote sent down from the Board by *John Higginson*, Esq; *viz* In Council *Novemb.* 21. 1717.

Ordered, That the Honourable *Eliakim Hutchinson*, *Addington Davenport*, *Thomas Fitch*, *Edmund Quincey* and *Adam Winthorp*, Esqrs; with such as the Honourable House of Representatives shall appoint be a Committee to confer upon the matter of the Valuation Bill, and to Expedite the Affair the Committee are desired to sit immediately.

Sent down for Concurrence. Read and Non-concurr'd.

Half an Hour past 3. Post Meridiem.

An Engross'd Bill Intituled, *An Act Enabling* John Porter *to bring forward an Appeal to the Superiour Court, to be held in* May *next, in the County of* Essex.

Read and

Resolved, That the Bill do pass to be Enacted.

An Engross'd Bill Intituled, *An Act Impowring the Judge of Probate to Allow a divisional Agreement made between the Children and Heirs of* Edward Denison *late of* Roxbury, *Yeoman*, Deceased. Read and

Resolved, That the Bill do pass to be Enacted.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Veneris 22. Die Novembris 1717. A. M.

WHEREAS this House is Informed, That the Government of *Rhode-Island*, have fully Impowred the Committee, which they have appointed to Run the Line, between this Province and that Government to Agree, Com-promise, and Issue the Difference between the Governments in that Affair, and finally Settle the dividing Boundaries.

Resolved, That if the said Committee shall attend that Service so Impowred; That the Committee appointed by this Court, to joyn in Running the said Line, Be also vested with like Powers, And are hereby fully Impowred, to Agree, Compromise and Issue, the Difference between the Governments, in the said Affair, and to make a full and final Settlement of the Line between that Government and this; And make Report of their doings to this Court.

Sent up for Concurrence.

A Petition of *Eliphalet Coffin* and *Judith* his Wife, *Elizabeth Coffin*, *James Noyes*, and *Sarah* his Wife, *Henry Jaques*, and *Mary* his Wife, *Lydia Coffin*, *Eleaner Coffin*, and *Joanna Coffin*, Praying, That they may be Enabled to have another Trial of a Case wherein they Sued *Samuel Webber* of *York*, for 20 Acres of Land, before the Superiour Court of Judicature to be next holden in the County of *York;* for reasons set forth in the Petition. Sent down from the Board, pass'd upon there, *viz.* In Council, *Novemb.* 21. 1717. Read and

Ordered, That a Hearing be had on this Petition upon the Second Friday of the

Session of this Court in *May* next: And that the Petitioners Serve *Deborah Webber* Executrix of *Samuel Webber*, late of *York*, in the County of *York*, deceased, with a Copy of this Petition, that she may shew cause, if any she have, why the Prayer thereof may not be granted: The charge to be paid as this Court shall order.

Sent down for Concurrence. Read and Concurr'd.

A Message from the Board by *John Otis*, and *Adam Winthrop* Esqrs; That his Excellency Directs this House to Attend him forth-with in the Council Chamber.

Mr. Speaker and the House went up accordingly.

And His Excellency the Governour *Prorogu'd* the Court, to Wednesday the Fifth Day of *February* next, at Ten a Clock in the Fore-noon.

BOSTON: Printed & Sold by B. Green. 1717. [45]

Anno Regni Regis GEORGII nunc Magnæ Britanniæ, &c. Quarto.

JOURNAL

Of the HOUSE of Representatives.

At a Great and General Court or Assembly of His Majesty's Province of the Massachusetts-Bay in New-England, begun & held at Boston, upon Wednesday the 29th Day of May, Anno Domini, 1717. and continued by Prorogations to Wednesday the 5th Day of February next after.

A Number Sufficient to Constitute a House not Appearing, Mr. Speaker Issued his Warrant to the Representatives of the Towns of *Sherborn*, *Medfield*, *Wrentham*, *Bradford*, *Haverhill*, *Salisbury*, *Plympton*, *Bridgwater*, *Middleborough*, *Rochester* and *Dartmouth*, requiring them forthwith to Attend his Majesties Service in the House.

Mr. Secretary *Willard*, came in and Acquainted the Members present, That his Excellency the Governour, had by and with the Advice of the Councill, *Prorogued* the Court by a Proclamation till to Morrow Morning Ten a clock in the forenoon.

Jovis 6. Die February 1717. A. M.

MR. Speaker Sent a Message to his Excellency the Governour, by Mr. *Remington*, Col. *Thaxter*, Mr. *Lindal* and Col. *Somersby*, to Acquaint him that a Quorum of the House are now Met, ready to attend the Business of the Session.

A Message from the Honourable Board by *Samuel Sewall*, and *Samuel Brown* Esqrs; That His Excellency Directs this House to attend him forthwith in the Council Chamber.

Mr. Speaker and the House went up accordingly.

And His Excellency made a Speech to the Court and gave a Copy thereof to Mr. Speaker, and He with the House return'd to their own Chamber.

His Excellency's Speech Read, and is as follows, *viz.*

GENTLEMEN,

I *Had not given You or myself the Trouble of a Winter Sessions, but that thro' the Providence of GOD in the late Sickness, We were obliged to break up the last Sessions, before some Affairs of Importance were finished; and among others a Pro-*

posal that was then made for some Additional building to your College *at* Cambridge. *I doubt not but that it is very acceptable to you to hear the Sons of the Prophets say,* The Place where we dwell is too streight for us! *You are very much in the right to have the Interest of Learning much at heart: And therefore, if any further Buildings for that purpose be intended the next Summer, You must make the proper Provision for it this Sessions.*

I am glad to find the Trading part as well as the Gentlemen of the Country begin generally to be convinced, that as it was only the Necessity, and great Emergency of our Affairs, that brought us into a Paper Credit; so we shall never be upon a firm and lasting Foundation, till we Recover and Return to Silver *and* Gold, *the only true Species of Money. And to that End I would propose it to your consideration, whether a certain Clause in the late Act,* for Emitting a Hundred Thousand Pounds; *whereby the Commissioners are directed to let out any of the Principal Money of the Loan, after it is once paid into the Treasury, unless Repealed or Altered, will not have a Tendency to prolong the Inconvenience we Complain of.* [46]

I don't intend by mentioning these particulars to confine you to them; but if any thing else of Importance, and for His Majesty's Service, and the Interest of the Government, come before You it will I doubt not, meet with a just consideration.

I have been inform'd that vast quantities of Deer were destroyed last Winter, and also in this, even when the Skins and Flesh were not worth fetching: If you don't design they should be entirely Destroyed, some Law must be made, for the preventing them from being killed for a few Years, and a weighty Fine laid upon the Offenders.

I shall only add, that I design it for a short Sessions, and therefore hope You'l give every thing its proper Dispatch.

Ordered, That a Message be sent up to the Board by Capt. *Wadsworth,* and Mr. *Tay,* moving that a Day of publick Fasting with Prayer, be Appointed and Solemnized throughout the Several Towns of this Province, upon the various occasions thereof, particularly the Epidemical mortal Fever that is in most of them.

The following Report, Brought down from the Board by *Benjamin Lynde, John Clark, Addington Davenport* and *Adam Winthrop* Esqrs; *viz.*

We whose Names are underwritten being a Committee appointed by the General Court to Consider, what is proper to be done in answer to the Memorial laid before them by the Overseers of Harvard College at their last *October* Sessions, having met at the College in *Cambridge, Decemb.* 27th 1717. And Inquired into the Accomodations that are there, at present for the Students, Graduates and Undergraduates do find it necessary that some further Building be Erected for

the making Provision of Forty or Fifty Studies more, that all the Students may be Entertain'd within the College, all which is humbly Submitted by your most humble and obedient Servants.

Samuel Sewall, Thomas Hutchinson, Thomas Fitch, Habijah Savage, Jonathan Dowse. In Council Read, and sent down Recommended. Read.

Half an Hour past 3. Post Meridiem.

A Report Signed by *Penn Townsend, Thomas Hutchinson, Thomas Fitch, Edward Hutchinson, Habijah Savage, Isaiah Tay, Joseph Wadsworth, Charles Chambers, Jonathan Dowse,* and *William Denison,* the Committee appointed by this Court in the recess thereof, to receive of the Treasurer, take Account of, and Burn torn and defaced Bills of Credit on this Province, Dated the 30th Day of *Decemb.* 1717. Shewing that they had then received and burnt to Ashes the Sum of *l.* 10143. 5 *s.* 7 *d.* half penny, neet Bills, *l.* 6638 14 *s.* 5 *d.* half penny, part thereof was received for Taxes, Impost and Excise, which with the advance of five *per* Cent, as they were received into the Treasury added thereto amounts to the Sum of *l.* 6970 13 *s.* 2 *d.* and *l.* 3504 11 *s.* 2 *d.* the remaining part thereof neet Bills, received into the Treasury without advance, of the Trustees for the Letting out the *l.* 50000. Bills of Credit, making in the whole the Sum of *l.* 10475 4 *s.* 4 *d.* as they were received into the Treasury. Read and

Resolved, That the said Report be accepted, and that the Treasurer be Discharged of the Sum of *l.* 10475 4 *s.* 4 *d.* accordingly. Sent up for Concurrence.

A Petition of *John Bacon* Representative and Agent for the Town of *Barnstable,* Presented to the House and Read, Praying this Court to confirm and ratify an Agreement made in and by the said Town, for the Division and Partition thereof into two distinct Precincts, for the maintenance of the Gospel Ministry in each of them, according to the Bounds of Partition set forth in the said Petition.

Ordered, That the Prayer of the Petition be Granted, and that the said Town be Divided and parted into two distinct Precincts, according to the bounds agreed on by them and set forth in the said Petition, each of them to enjoy and exercise all Powers and Privileges, necessary for, and belonging to a Precinct, for upholding and supporting the Gospel Ministry. Sent up for Concurrence.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Veneris 7. Die Februarii, 1717. A. M.

THe Report of the Committee entered Yesterday, relating to Erecting additional Buildings at *Harvard College,* further considered, and

Ordered, That the said Committee be desired to prepare and lay before the Court a Projection of such additional Buildings, as they think necessary to be

Erected at present, [47] and a computation of the Charge it will probably amount to, that further consideration may be had thereof

Sent up for Concurrence.

His Excellency's Speech Read again, and that Paragraph thereof relating to the Bills of Credit Debated.

A Bill Intituled, *An Act in Addition to the Act Intituled, An Act for the better Preservation and Increase of Deer.* Read a first time.

The Honourable Mr. President *Leverett* and *Thomas Fitch*, Esqrs; Two of the Trustees of Mr *Hopkins*'s Legacy, upon a motion being made, came in and acquainted the House that great Strip and Waste has been lately made of the Timber on *Whitehall-Farm*, and they are taking care to Prosecute the Offenders, pursuant to the Order of this Court, and mov'd that they may not be Intercepted in their Proceedings. And withdrew.

A Petition of *Joseph Buckminster*, Praying that he may be favoured with a hearing of his cause relating to *Whitehall Farm*, before this Court, Sent down from the Board, pass'd upon there *viz.* In Council, *Feb.* 6 1717. *Ordered*, That the Prayer of the within Petition be Granted, and that the Petitioner be heard thereon, on the 2d Wednesday of the next *May* Session, and that he serve the Committee of the Trustees, of Mr. *Hopkins*'s Legacy with a Copy of the Petition, and that in the mean time no Strip or Waste be made on the Farm called *Whitehall Farm* within mentioned.

Sent down for Concurrence. Read and Non-Concurr'd.

Upon a Motion being made, Mr. President *Leverett* was again admitted into the House and Informed them of the great necessity of further Buildings being speedily made for the Entertainment of Students at *Harvard College*. And withdrew.

A Message from the Board by *William Tailer*, *Nathaniel Byfield*, *Nathaniel Paine*, *Benjamin Lynde* and *Addington Davenport*, Esqrs; That the Council had Concurr'd the Vote of this House of this Day, on the Report of the Committee, relating to additional Buildings to be made to *Harvard College*, and desired that the Committee might meet thereon forthwith.

The Petition of *Philip English* which was pass'd upon in this House the 20th of *Novemb.* last. Sent down from the Board pass'd on there, *viz.* In Council, *Feb.* 7. 1717. *Ordered*, That the Committee be continued, and that they make Report as above at the Session of this Court in *May* next. Sent down for Concurrence.

Read and Concurr'd.

3 Post Meridiem.

A Petition of *Penn Townsend* Esq; in behalf of himself and *Thomas Palmer* and *William Hutchinson*, Esqrs Executors of the last Will and Testament of *Peter*

Sergeant, Esq; Deceased, Presented to the House and Read. Praying, that they may be Discharged from a Bond for *l.* 105. 2. *s.* 8. *d.* Bills of Publick Credit which the said *Sergeant*, & *Townsend*, gave to the Treasurer for the said Sum which they borrowed of the Publick & paid the whole thereof to Sixteen Artificers, that were Imprest here, and served in the Train of Artillery in the Expedition design'd against *Canada*, Anno 1711. for reasons assign'd therein.

A Message from the Board by *William Tailer*, *Nathaniel Byfield*, *Addington Davenport*, *Thomas Hutchinson*, *Thomas Fitch*, and *Adam Winthrop*, Esqrs with the Report of the Committee concerning an additional Building to be made at *Harvard College*, A Draught of such Building and a Computation of the Charge, Shewing the present necessity thereof, and moving the House now to Proceed in the affair: And Left the further Report of the Said Committee which was Read, *viz.* In Pursuance of the within Order, The Committee are humbly of opinion, that as it's the most frugal method of Building, So it will best answer the present Occasions, to Erect a double House, somewhat conformable to the Draught herewith exhibited, to be plac'd pretty near the Southwest Corner of *Stoughton College*, and thence to extend it's length Westward in a parallel Line to *Harvard College*. The Charge thereof by what we gather from Skilful Workmen, may probably amount to *Three Thousand Pounds*, or thereabouts.

A Petition of *Joseph Buckminster*, *Benjamin Bridge* and *Jonas Eaton*, on behalf of the Town of *Framingham*, Presented to the House and Read, Praying that they may be enabled to Prosecute their Appeal, from the Judgment of the Court of General Sessions of the Peace holden in *Concord* in *August* last, Ordering the said Town to maintain one *Margaret Allen*, a poor Woman belonging to the Town of *Weston*, at the next Court of Assize, and General Goal Delivery to be holden at *Cambridge*, from which they are now through a Mistake precluded in the Law. [48]

It being Represented to this House that *Onner Thomas*, a poor and helpless Widow Woman driven in from the Eastern Parts in the late War, at present residing in the Town of *Lynn*, stands in need of Relief; and it not appearing that she belongs to any Town, from whom she can have Support.

Resolved, That the Sum of *Forty Shillings* be allowed and Paid out of the Publick Treasury to Mr. Speaker *Burril* to be disposed of by him for her present Relief. Sent up for Concurrence.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Sabbati 8 Die Februarii 1717 A. M.

THe Petition of *Joseph Buckminster*, *Benjamin Bridge*, & *Jonas Eaton*, Praying as Entred Yesterday, Read again, and.

Ordered, That the Prayer of the Petition be Granted. Sent up for Concurrence.

A Petition of *Cyprian Southack* Presented to the House and Read, Praying That he may be Reimbursed the Sum of *Twenty Pounds, three Shillings*, which he Paid for the Ransom of *Silas Newcomb* and *Andrew Simons*, out of the hands of the Indians. And that he may have consideration for the loss he sustained of at least *l.* 450, in the Year 1715. when he had a Warrant from the late Governour *Dudley*, to preserve the boundaries between this Province and the French. And for a Sail that was taken out of his Sloop in *May* last by *Williams* the Pirate worth *l.* 80 or *l.* 90, when he had ordered the said Sloop to come to him to *Cape Cod*, to take in and Transport the Goods that were saved from the Pirate Ship which was wrecked there. In which Service he was improv'd by his Excellency the Governour.

A Petition of *Richard Pierce* of *Marblehead*, Presented to the House and Read, Praying, The Loan of *l.* 150 in Bills of Credit, out of the Publick Treasury, upon the Security of a Tract of Land he owns at *Misconcus* beyond *Pemaquid*, to enable him and others to advance a Settlement on the said Lands.

Ordered, That the said Petition be Dismist.

A Bill Intituled, *An Act in Addition to An Act Intituled, An Act for the better Preservation and Increase of Deer*, Read a 2d time.

A Message from His Excellency the Governour by *Penn Townsend*, Esq; moving the House to consider the Request of the Eastern Indians for a *Wigwam* to be built at *Arrowsick* for their Entertainment when they come there.

Resolved, That the Sum of *Fifty Shillings* be allowed and Paid out of the Publick Treasury to *Henry Bright*, for his Service as Messenger of this House, to carry Warrants to several Members to attend the Court.

Sent up for Concurrence.

The Petition of *Joseph Buckminster, Benjamin Bridge, Jonas Eaton*, on which a Vote was pass'd in this House, this Day. Sent down from the Board. Pass'd on there, *viz.* In Council, *Feb.* 8th Concurr'd, and that the Petitioner bring in a Bill accordingly. Sent down for Concurrence. Read and Concurr'd.

And then the House Adjourn'd till Monday next three a Clock Afternoon.

Lunæ 10. Die Februarii, 1717. P. M.

Ordered, That *Edward Hutchinson*, Esq; be desired to take Care to have a small Building erected at *George Town*, on *Arrowsick-Island*, for the Reception, and Shelter of the Indians, when they come there, to prevent their inconvenient Intrusion on the English Inhabitants. The cost not to exceed the Sum of *Twenty Pounds*. Sent up for Concurrence.

A Petition of *Joseph Crocker, Barnabas Fuller, Josiah Crocker* and *Ebenezar Crocker* of *Barnstable*, Presented to the House and Read, Praying that a Committee may be appointed to come, hear and determine the Difference between them and the Indians of *Mashpeed*, as to the Bounds of their Lands. Sent up.

Resolved, That the Sum of *Four Pounds* be allowed and Paid out of the Publick Treasury to *James Scolly*, for his Service as Messenger of this House, to Summon several Members to attend His Majesty's Service in this Court.

Sent up for Concurrence.

A Petition of *John Sheple* and *John Ames* of *Grotton*, Presented to the House and Read, Praying that a Plat of the said Town therewith exhibited, taken by *Samuel Danforth* Surveyor, *Decemb.* 3. 1713. may be Confirmed. [49]

The Petition of *Joseph Crocker*, &c. praying as entred this Day, sent down from the Board, pass'd on there, *viz.* In Council, *Feb.* 10th. 1717. Read & Ordered, That *Samuel Sturges*, and *Melatiah Bourn* Esqrs; and Mr. *Samuel Jennings*, Representative of the Town of *Sandwich* be a Committee appointed, and Impowred by this Court, to go upon the Land, and view the same, and to determine the Controversy, and Settle the Boundaries, between the *English*, and the *Indians* mentioned in the Petition, and make Report to this Court at their next *May* Session for Confirmation. Sent up for Concurrence Read & Concurr'd.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Martis 11. Die Februarii 1717 A. M.

A Bill Intituled, *An act in addition to an act, Intituled, An act for the Partition of Lands.* Read a first time.

A Bill Intituled, *An act in addition to an act, Intituled, An act for the better Preservation and Increase of Deer.* Read a 3d time, and pass'd to be Engross'd.

Sent up for Concurrence.

A Bill Intituled, *An act to enable* Joseph Buckminster, Benjamin Bridges & Jonas Eaton *on behalf of the Town of* Framingham, *to bring forward their Appeal from the Sessions of the Peace in* Middlesex, *to the Court of Assize & General Goal Delivery, to be held in* Cambridge *for the County of* Middlesex. Read a first time.

The Petition of *John Sheple* & *John Ames*, praying as entred Yesterday. Read again, and

Ordered, That the prayer of this Petition be so far Granted, that the Plat herewith Exhibited, altho' not exactly conformable to the Original Grant of Eight Miles Square, be accounted, Accepted & Confirmed as the Bounds of the Township of *Grotton*, in all Parts except, where the said Township, Borders on the Township of *Littleton*, where the Bounds shall be and remain, between the said Towns, as is already Stated & Setled by this Court. And that this Order shall not be Understood, or Interpreted, to alter or infringe the Right, and Title which any Inhabitant or Inhabitants, of either the said Towns have or ought to have to Lands in either of the said Townships. Sent up for Concurrence.

A Petition of *Antony Young*, Innholder in *Dorchester*, near *Billings's*, presented to the House & Read, praying, That he may have granted to him his Sale of

Strong Drink, as an Innholder from *July* last past till the Expiration of the present Act, for Regulating the Excise without paying any Excise, for reasons therein exprest.

And the Question being put, Whether the prayer of the Petition be Granted?

It pass'd in the Negative.

A Petition of *Thomas Smith* of *Rhode-Island*, *John Budd*, and *Rebecca* his Wife Children and Representatives of *John Smith* of *Bristol*, deceased: Shewing that they have a Right to Three 16 Parts of Eight Miles Square of Land at *Assanamiscock*, which they are Deprived of by the Acts of this Court relating to the said Lands, Praying Relief; Sent down from the Board, pass'd on there, *viz. Feb.* 10th 1717. *Ordered*, That a Hearing be had on this Petition on the Second Friday of the next Session of this Court, and that the Petitioner Serve some of the Principal of the other Parties concern'd with a Copy of the Petition.

Sent down for Concurrence. Read.

A Bill Intituled, *An act in further addition unto, and for better Explanation of the Act, Intituled, An act in addition to the Act for Upholding & Regulating of Mills.*

Read a first time.

A Bill Intituled, *An act in addition to an Act Intituled, an act, providing in case of Sickness.* Read a first time.

3. Post Meridiem.

A Bill Intituled, *An act to Enable* Joseph Buckminster, Benjamin Bridges & Jonas Eaton *on behalf of the Town of* Framingham, *to bring forward their Appeal from the Sessions of the Peace in* Middlesex *to the Court of Assize & General Goal Delivered, to be held in* Cambridge *for the County of* Middlesex. Read a 2d & 3d time, and pass'd to be Engross'd. Sent up for Concurrence.

A Petition of *Richard Pierce*, and *Mary* his Wife, presented to the House and Read, praying the Confirmation of their Title to a certain Tract of Land, containing Twelve Miles, lying at *Misconcus* beyond *Pemaquid*, which they bought of *Somerset* an Indian, *Anno* 1641. And the Question being put, Whether the prayer of the Petition be Granted? It pass'd in the Nagative.

A Petition of *John Higginson*, & 79 others, presented to the House & Read, praying, That a Tract of Land, lying between *Grotton* & *Lancaster*, may be Granted to them, and made a Township. [50]

Ordered, That *Samuel Thaxter*, *Jonathan Remington*, and *Francis Fullam* Esqrs; be a Committee to go upon and view the Land Petitioned for, and report what they think may be proper for this Court to act in answer to this Petition: And inform themselves of the Condition, and Circumstances of the Petitioners, whether they are like speedily to bring forward a Settlement thereon. And that no person presume in the mean time, to take up any private Grant in the said Lands.

Sent up for Concurrence.

Isaac Winslow, and *Adam Winthrop* Esqrs; brought down the Petition of *John Usher* Esq; referr'd to a Committee the 20th day of *Novemb.* last, and the Report of the said Committee thereon.

A Petition of *James Lowden* in behalf of *Jane Chamberlain*, Widow, one of the Daughters of *John Cole*, and *Henry Wilson*, for himself, and the rest of the Children of *Mary Wilson*, deceased, one of the Daughters of the said *John Cole;* Presented to the House and Read, Praying this Court so far to make void their Order pass'd in *June*, 1714. that Confirm'd Three Hundred Acres of Land, (which *John Wampas* an Indian gave to *John Cole*) unto *Wiggleworth* and *Ursilla Sweeter*, as that the Petitioners may not be thereby Barr'd from obtaining such part of the said Land as of Right belong's unto them.

Ordered, That the Petitioners Serve *Wigglesworth Sweetser*, and *Ursilla* his Wife with a Copy of this Petition; And that a Hearing be Granted thereon before this Court, on the Second Wednesday of their Sessions beginning in *May* next, unless the Parties shall agree and issue their Difference in the mean time.

Sent up for Concurrence.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Mercurii 12. Die Februarii, 1717. A. M.

THe Report of the Committee for making an Addition to the Buildings of *Harvard College*, entred the 7th Currant, read again.

Upon Consideration, of that part of His Excellency's Speech, which relates to making additional Buildings to *Harvard College*.

Ordered, That the Thanks of this House be returned to His Excellency the Governour for his Care to promote good Literature, without which Religion will not be upheld amongst us:

But inasmuch as the charge of the said Buildings is like to be very considerable, and a great part of this House is absent.

It is further *Voted*, That the Consideration of the said Affair be Referr'd, to the Session of this Court in *May* next, when a full House may be Expected.

Sent up for Concurrence.

A Bill Intituled, *An Act in addition to an act Intituled, an act providing in Case of Sickness.* Read a 2d time.

A Bill Intituled, *An Act in addition to an act Intituled, an act for the Partition of Lands.* Read a 2 time.

A Bill Intituled, *An Act in further addition unto, and for better Explanation of the act Intituled, an act in addition to the Act for Upholding & Regulating of Mills.* Read a 2 time.

A Petition of *Savil Simpson*, presented to the House & Read, Praying, That he may be heard upon the said Bill, before it is pass'd.

The Bill Intituled, *An Act to enable* Joseph Buckminster, Benjamin Bridges & Jonas Eaton *on behalf of the Town of* Framingham, *to bring forward their Appeal from the Sessions of the Peace in* Middlesex, *to the Court of Assize and General Goal Delivery, to be holden at* Cambridge *for the County of* Middlesex. Sent down from the Board Concurr'd with an Amendment.

The said Amendment, Read and Agreed.

A Petition of *Jonathan Jackson* of *Situate*, Presented to the House and Read, praying Consideration for a Wound he received in his Shoulder in the Service against the Indian Enemy formerly.

Resolved, That the Sum of *Ten Pounds* be Allowed and Paid out of the Publick Treasury to *Jonathan Jackson*, for his Relief. Sent up for Concurrence.

A Bill Intituled, *An Act for Altering the time for Holding the Superiour Court of Judicature Court of Assize and General Goal Delivery, within the County of* Plymouth. Sent down from the Board for Concurrence. Read a first time.

A Petition of *Samuel Richmond* and *Christopher Thresher*, and 31 others Inhabitants of *Middleborough* Sixteen Shilling Purchase so called, and of several Inhabitants of *Taunton*, presented to the House and Read, Praying, That they may be made a Separate Township or Precinct, That they may be enabled to Maintain the Gospel Ministry amongst them. [51]

The Vote of the Council on the Petition of *Thomas Smith* of *Rhode-Island*, &c. entred Yesterday. Read again. And Concurr'd.

3. Post Meridiem.

A Petition of *John Higginson* Esq; Presented to the House and Read, Praying, That a Strip of Land containing between Twenty & Thirty Acres lying between a Farm belonging to him, and a Farm called *Printer Green*'s Farm, near *Dracut*, may be Sold to him.

Ordered, That the prayer of the Petition be Granted, Provided the Quantity of Land Exceed not Thirty Acres; the Petitioner paying in to the Publick Treasury after the Rate of *Five Shillings per* Acre for the same. Sent up for Concurrence.

Penn Townsend and *Adam Winthrop* Esqrs; brought down the Bill, Intituled, *An Act in addition to the Act Intituled, An Act for the better Preservation and Increase of Deer*. Concurr'd with Amendments.

The said Amendments Read & Agreed.

A Petition of *Hopestill Brown*, *Josiah Hayden*, and 22 others Inhabitants of *Sudbury*, dwelling on the West Side of the River in the said Town, Presented to the House and Read, Praying, That the said River may be declared to be the dividing Bounds between the two Precincts in the said Town: That they may be enabled to proceed to Build a Meeting House, Pursuant to former Votes of this Court.

A Bill Intituled, *An Act for calling in of Province Bills of Credit, outstanding of former Plates, sign'd by three hands only.* Read twice.

A Bill Intituled, *An Act in addition to an Act Intituled, An Act for Holding Courts of General Sessions of the Peace.* Read a first time.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Jovis 13. Die Februarii, 1717. A. M.

A Bill Intituled, *An Act for altering the Time of Holding the Superiour Court of Judicature, Court of Assize and General Goal Delivery within the County of* Plymouth. Read a 2d & 3d time. And pass'd a Concurrence.

A Bill Intituled, *An Act for calling in of Province Bills of Credit, outstanding of former Plates, sign'd by three Hands only.* Read a 3d time.

And Pass'd to be Engross'd. Sent up for Concurrence.

A Petition of *Thomas Edwardson, Jonathan Young* and *Thomas Varney,* Presented to the House and Read, Praying relief for such as have entred into Bonds, to pay the Currant Money of the Province, where they Borrowed, or Owed, and by the Bond was intended only Bills of Publick Credit: But the Obligees take the unjust advantage of Suing for Silver Money.

A Bill Intituled, *An Act in addition to an Act Intituled an Act for the Partition of Lands.* Read 3d time, and pass'd to be Engross'd. Sent up for Concurrence.

Half an Hour past 3. Post Meridiem.

An Engross'd Bill, Intituled, *An Act in addition to the Act, Intituled, An Act for the better Preservation and Increase of Deer.* Read and

Resolved, That the Bill do pass to be Enacted.

An Engross'd Bill Intituled, *An Act to enable* Joseph Buckminster, Benjamin Bridges, *and* Jonas Eaton, *on behalf of the Town of* Framingham, *to bring forward their Appeal from the Sessions of the Peace in* Middlesex, *to the Court of Assize and General Goal Delivery, to be Held in* Cambridge *for the County of* Middlesex.

Read and

Resolved, That the Bill do pass to be Enacted.

An Engross'd Bill, *Intituled, An Act for Altering the Time for Holding the Superiour Court of Judicature, Court of Assize and General Goal Delivery within the County of* Plymouth. Read and

Resolved, That the Bill do pass to be Enacted.

And then the House Adjourn'd till to Morrow Morning Nine a Clock. [52]

Veneris 14. Die Februarii 1717. A. M.

A Bill Intituled, *An Act in addition to an act Intituled, an act, Providing in Case of Sickness.* Read a 3d time,

And Pass'd to be Engross'd. Sent up for Concurrence.

A Letter from *Elisha Cooke* Esq; Directed to Mr. Speaker, to be Communicated to the House, Shewing, That *John Bridger* Esq; having received a Commission from His Majesty, for Surveying the Woods in *North America*, under colour of putting the same in Execution, is strenuously endeavouring by wrong Insinuations and Threats, to compel the Inhabitants of *Kittery* and *Berwick*, and the Neighbouring Towns, to Pay him *Forty Shillings per* Team for each Team they send to Log, and get Timber. Read and sent up.

A Petition of *John Colman*, Administrator to the Estate of *William Hobby* late of *Boston*, Merchant, deceased, Presented to the House and Read, Praying that he, and such other Persons with him as shall be thought proper may be Enabled to make Sale of the real Estate, of the said Deceased, in order to the Distribution of the Produce thereof among the Interested, who are several of them Minors, and want it for their Maintenance and Education; It being impracticable with any Convenience to divide the said Real Estate into so many Parts, as the Interested.

Ordered, That the said Petition be Referr'd to the next Sessions for Consideration.

The Bill Intituled, *An Act for Calling in of Province Bills of Credit, outstanding of former Plates, sign'd with three hands only.* Sent down from the Board with Amendments; which were Read and Agreed to, and Sent up.

Resolved, That the Sum of Two Hundred Pounds, be further Allowed, and Paid out of the Publick Treasury to His Excellency SAMUEL SHUTE Esq; Captain General and Governour in Chief of this His Majesty's Province, for his Support in Managing the Affairs of the Government, in Consideration of the extraordinary dearness of all necessaries for House keeping. Sent up for Concurrence.

Penn Townsend Esq; Brought down the Letter of *Elisha Cooke* Esq; relating to the proceedings of *John Bridger* Esq; which was sent up this day, with a Message, That this House pass thereon first, It being Directed to them only.

Ordered, That the said Letter be sent up to the Honourable Board, with a Message Requesting his Excellency and Council, to inquire into the Grievance mentioned therein, and to do what is proper and necessary to remedy it. Sent up.

The Bill Intituled, *An Act in addition to an act Intituled, an act, providing in Case of Sickness.* Sent down from the Board Concurr'd with an Amendment, which was Read, and Agreed.

3 Post Meridiem.

A Petition of *Thomas Harvey* of *Taunton*, and *Nicholas Morey* of *Freetown*, presented to the House and Read, Praying, That the said *Harvey* may be Enabled to bring forward his Appeal from a Judgment of the Inferiour Court of Common Pleas held in *Bristol* in *January* last, in a Cause between him and *John Godfrey*, respecting Title of Land, to the next Superiour Court of Judicature to be holden in *Bristol*, which through a Mistake, he is now Barred from: And that the said *Morey* may be relieved from the Judgment of the said Inferiour Court, whereby he was obliged to pay the said *Godfrey* the Sum of 11 *l.* 15 *s.* 7 *d.* for Reasons alledged in the said Petition.

Ordered, That the said Petition be Referred to the next Session of this Court for further Consideration.

An Engross'd Bill, Intituled, *An Act in addition to an act Intituled, An act, providing in Case of Sickness.* Read, and

Resolved, That the Bill do pass to be Enacted.

An Engross'd Bill, Intituled, *An act for Calling in of Province Bills of Credit. outstanding of former Plates, sign'd with three Hands only.* Read, and

Resolved, That the Bill do pass to be Enacted.

A Message from his Excellency the Governour, by *Edward Bromfield*, & *Nathaniel Paine* Esqrs; That this House do immediately attend his Excellency the Governour in the Council Chamber.

Mr. Speaker and the House went up accordingly. And Mr. Secretary *Willard* by his Excellency's Order *Prorogu'd* the Court to Wednesday the Ninth Day of *April* next, at Ten a Clock in the Forenoon.

BOSTON: Printed & Sold by B. Green. 1718.

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